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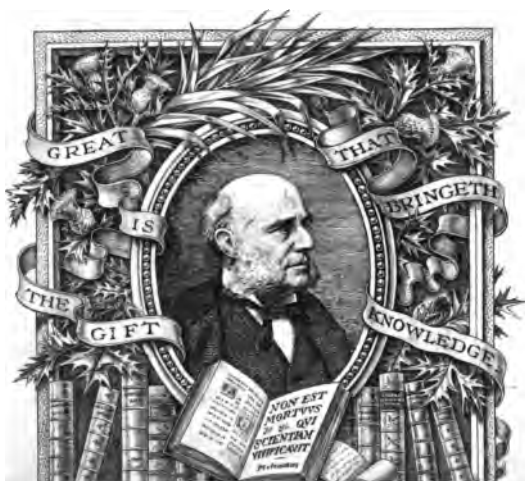
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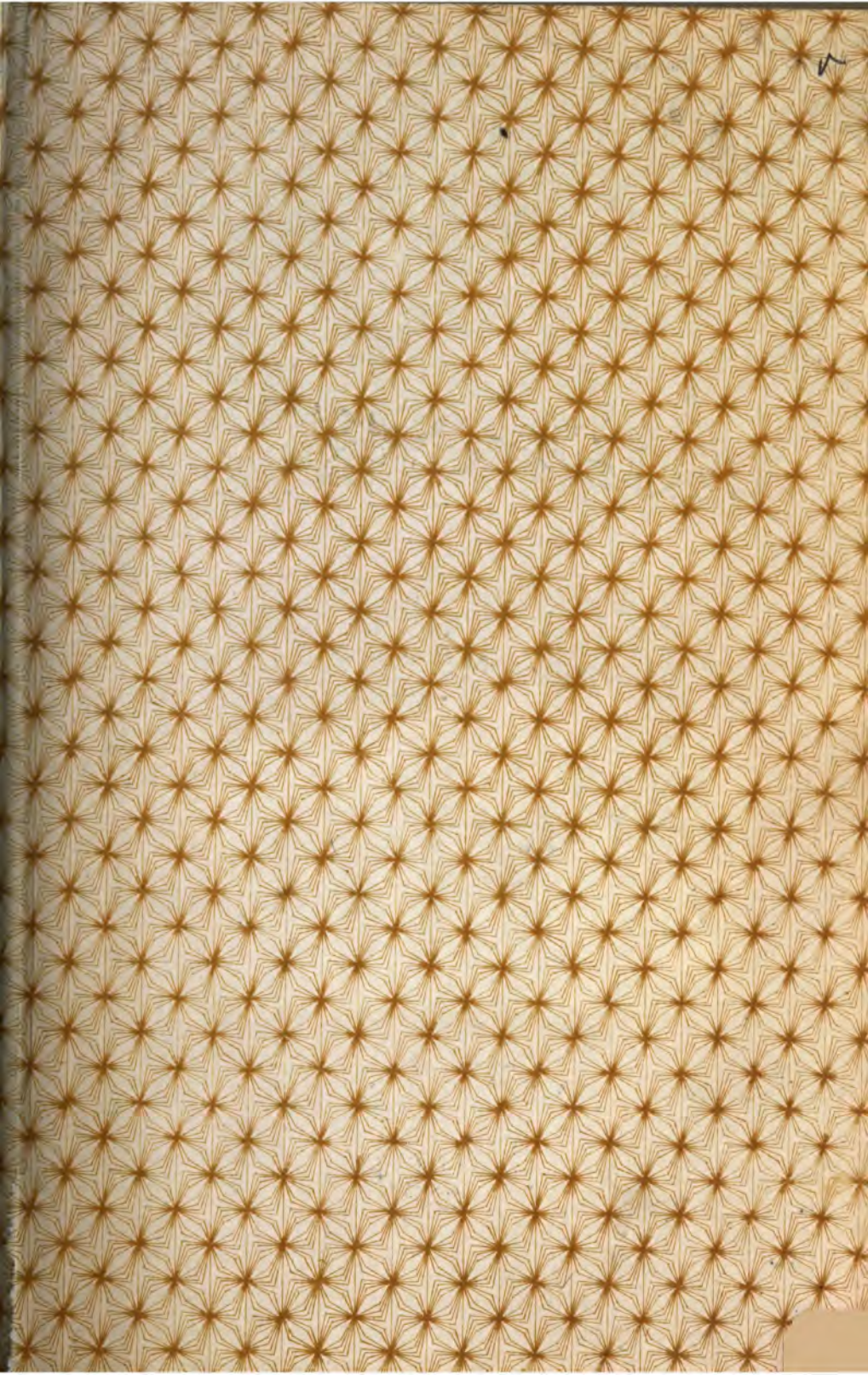
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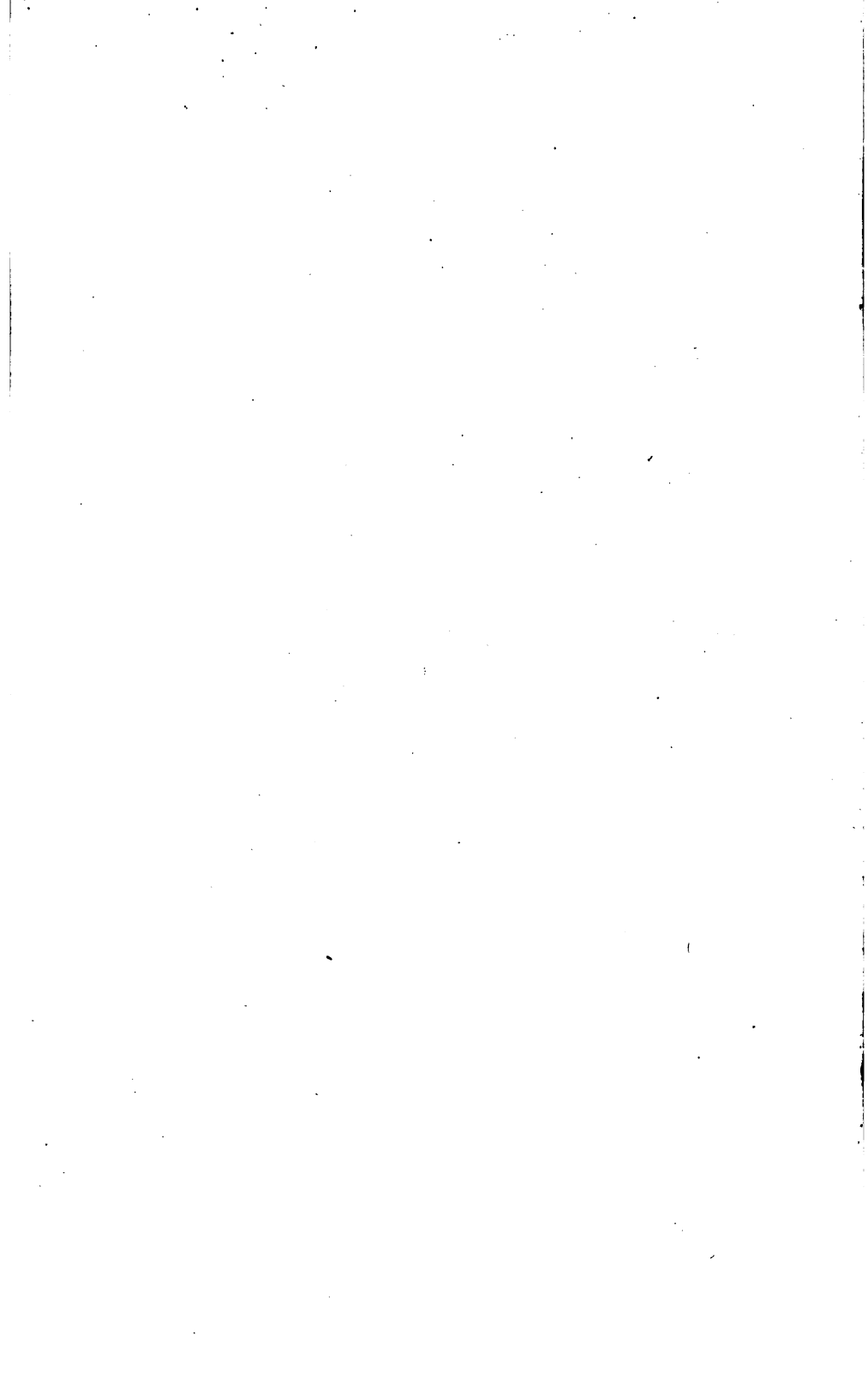
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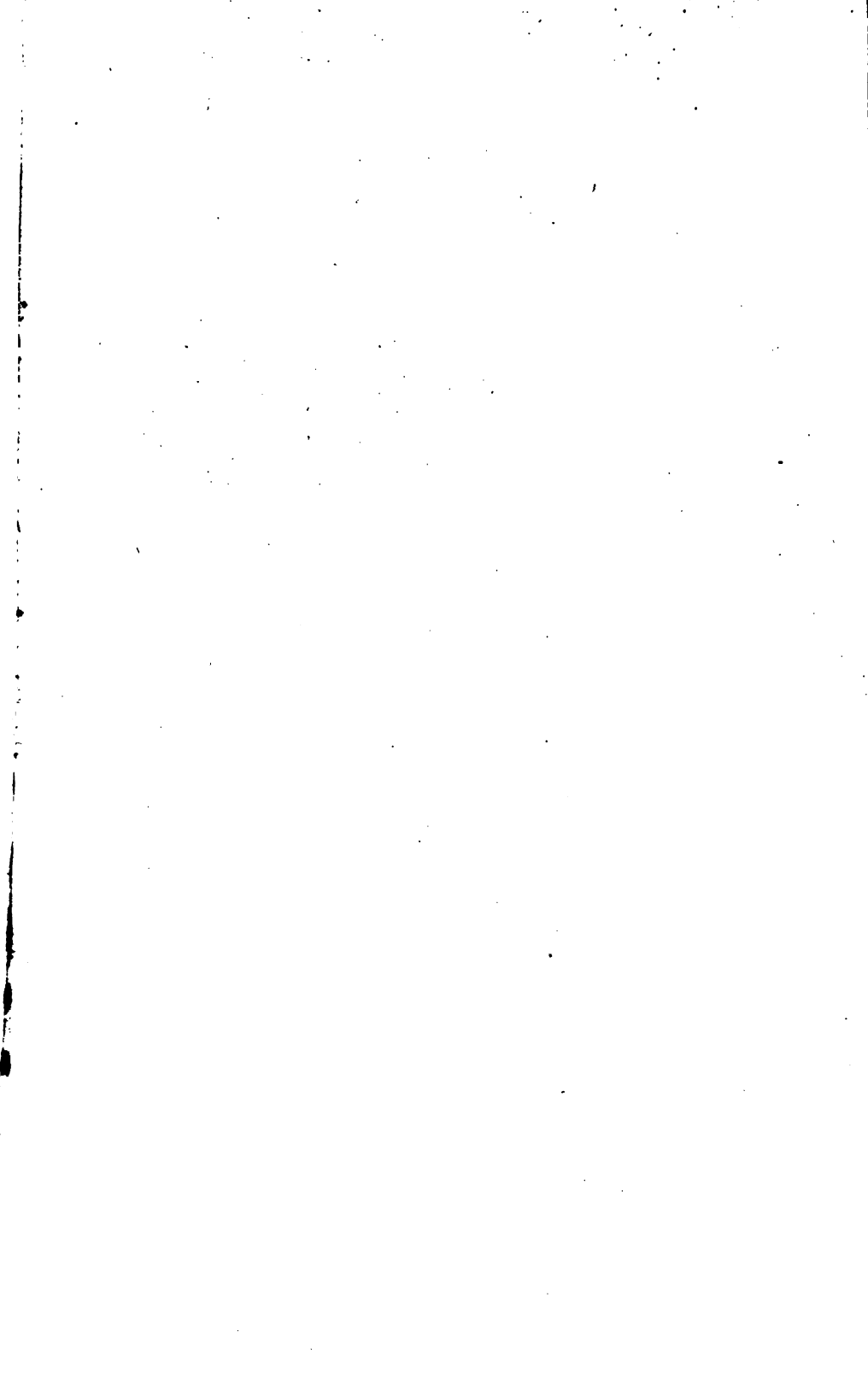


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JOURNAL

THE  
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HOUSE OF REPRESENTATIVES

OF THE

STATE OF SOUTH CAROLINA:

BEING THE

EXTRA SESSION OF NOV., 1852.

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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
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STATE OF SOUTH CAROLINA.

BEING THE EXTRA-SESSION OF NOVEMBER, 1852.

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MONDAY, NOVEMBER 1, 1852.

The General Assembly of the State of South Carolina was convened in the Capitol, at Columbia, on this day, being the first day of November, in the year of our Lord one thousand eight hundred and fifty-two.

On motion of Mr. TORRE, Mr. J. Izard Middleton, a member elect from Winyah, was called to the Chair; when Thomas W. Glover, Clerk of the late House of Representatives, read the following Proclamation of his Excellency JOHN H. MEANS:

Whereas the Congress of the United States did, by an Act passed and approved on the twenty-third day of January, in the year of our Lord one thousand eight hundred and forty-five, enact, "that the Electors of President and Vice President shall be appointed on the Tuesday next after the first Monday in November of the year in which they are to be appointed:" And whereas the existing law of this State provides that the Electors shall be appointed by the Legislature: And whereas the Legislature of this State will not be in regular session at the time prescribed by the aforesaid Act for the appointment of Electors:

Therefore, be it known, that I, JOHN H. MEANS, Governor in and over this State, by virtue of the power vested in me by the Constitution, authorizing the Governor, on extraordinary occasions, to convene the General Assembly, do issue this my Proclamation, calling upon and requesting the Senators of the General Assembly whose terms of office have not expired, and those who have been now recently elected, and the members of the House of Representatives who have also been now recently elect-



ed, to convene in Columbia, on the first Monday in November next ensuing, that they may be present in the House of Representatives on the said Tuesday next after the first said Monday, to appoint Electors of President and Vice President of the United States, in conformity with the act of Congress aforesaid.

Given under my hand and the seal of the State aforesaid, at Columbia, the 14th day of October, in the year of our Lord one thousand eight hundred and fifty-two, and in the seventy-seventh year of the Independence of the United States of America.

J. H. MEANS, [L. s.]

The late Clerk then commenced a call of the members of the House of Representatives by election districts, when the following gentlemen appeared, produced their credentials, were sworn by the Chair, and took their seats;

*From Abbeville.*—Messrs. John W. Hearst, Samuel McGowan, James K. Vance, Thomas Thomson, and Samuel Jordan.

*From All Saints.*—Mr. Allard B. Flagg.

*From Barnwell.*—Messrs. William A. Owens, S. W. Trotti, James Patterson, and N. G. W. Walker.

*From Charleston.*—Messrs. G. N. Reynolds, jun., J. B. Campbell, James Simons, John Seigling, jun., Peter Della Torre, Nelson Mitchell, Henry C. King, J. Charles Blum, Edward McCrady, J. F. Poppenheim, Samuel Cruikshank, A. W. Burnett, and Thomas O. Elliott.

*From Chester.*—Messrs. C. D. Melton, W. A. Rosborough and Tillman Ingram.

*From Chesterfield.*—Messrs. James W. Blakeney and E. B. C. Cash.

*From Christ Church.*—Mr. Thomas M. Wagner.

*From Claremont.*—Messrs. John T. Green, J. D. Ashmore and J. B. Witherspoon.

*From Clarendon.*—Mr. J. J. Ingram.

*From Darlington.*—Messrs. Edgar W. Charles, J. Ervin Byrd and J. F. Ervin.

*From Edgefield.*—Messrs. W. S. Mobley, A. J. Hammond, John C. Allen, Wiley Harrison, L. W. Carwile and S. Christie.

*From Fairfield.*—Messrs. Henry H. Clarke, J. N. Shedd and R. B. Boylston.

*From Greenville.*—Messrs. Wm. P. McBee, Nathaniel Morgan and Perry E. Duncan.

*From Kershaw.*—Messrs. Joseph B. Kershaw and A. H. Boykin.

*From Kingston.*—Mr. Robert Munro, jun.

*From Lancaster.*—Messrs. W. C. Cauthen and Thomas K. Cureton.

*From Laurens.*—Messrs. C. P. Sullivan, John Hudgens, R. E. Campbell and George Anderson.

*From Liberty.*—Messrs. W. R. Johnson, W. S. Mullins and W. W. Durant.

*From Marlborough.*—Messrs. Charles A. Thornwell and Thomas C. Weatherly.

*From Newberry.*—Messrs. A. C. Garlington, J. M. Crosson and Reuben G. Pitts.

*From Orange.*—Messrs. L. M. Keitt and L. E. Cooner.

*From Pendleton.*—Messrs. John T. Sloan, William S. Pickens, William D. Steele, Elijah Alexander, jun., O. R. Broyles, Francis Burt and George R. Brown.

*From Prince Williams.*—Mr. William F. Hutson.

*From Richland.*—Messrs. James D. Tradewell, C. T. Howell, Wade Hampton, jun., and Wm. Maybin.

*From Saxe-Gotha.*—Messrs. John Fox and J. C. Hope.

*From Sparten.*—Messrs. J. W. Tucker, E. C. Leitner, H. J. Dean, J. Winsmith and B. F. Bates.

*From St. George's, Dorchester.*—Mr. A. E. Moorer.

*From St. Helena.*—Mr. Benjamin J. Johnson.

*From St. James, Goose Creek.*—Mr. J. Murray.

*From St. James, Santee.*—Mr. John A. Gadsden.

*From St. John's, Berkley.*—Mr. James Sinkler.

*From St. John's, Colleton.*—Messrs. William M. Bailey and Jabez J. R. Westcoat.

*From St. Matthews.*—Mr. Olin M. Dantzler.

*From St. Pauls.*—Mr. William E. Haskell.

*From St. Peters.*—Messrs. A. R. Johnston and J. S. Lawton.

*From St. Stephens.*—Mr. W. Mazyck Porcher.

*From Union.*—Messrs. R. Beaty, B. H. Rice and J. M. Gadberry.

*From Williamsburg.*—Messrs. A. Isaac McKnight and B. W. Bradley.

*From Winyah.*—Messrs. Gabriel Manigault, J. Izard Middleton, and J. Harleston Read, Jun.

*From York.*—Messrs. A. B. Springs, G. W. Williams, W. J. Clawson and A. S. Wallace.

The following return was then read:

"We the undersigned, Managers of Election for St. Bartholomew's Parish, Colleton District, South Carolina, opened the polls on Monday and Tuesday, the 11th and 12th October, 1852, instant, at such times and places as designated by Act of the Legislature; and having met to-day the 13th instant, at Walterboro', counted the votes and found the following

result: Mr. J. B. Perry received 451 votes, Dr. Peter Stokes 345, Mr. Louis O'Bryan 319, Mr. Simon Verdier 317, Mr. James G. Varn 224; Mr. Millar Cunningham 25. In one box there were three votes more than the list of said box called for, which being deducted from the three highest candidates, left Mr. O'Bryan but 316, one below the next highest candidate, Mr. Verdier; so that there were but two, Messrs. Perry and Stokes, who received a legal plurality and are consequently duly elected. There was one box, not included in above result, containing 23 votes for Mr. O'Bryan, 23 for Dr. Stokes, 2 for Mr. Verdier, 6 for Mr. Perry, and 11 for Mr. Varn, being rejected by the Board of Managers, not being held by any legally appointed Managers, as also votes changed by Managers from one box to another, while holding the poll." Messrs. Josiah B. Perry and Peter Stokes were then qualified and took their seats.

Mr. TORRE submitted sundry affidavits in relation to the Election held for St. Bartholomew's election District; which on Mr. Torre's motion were laid *on the Table*.

A quorum of the Members being present, the House then proceeded to the election of a Speaker to preside over its deliberations; and on examination of the ballots, it appeared, that Mr. JAMES SIMONS, a Representative from Charleston, received one hundred and five votes which was a majority of the ballots cast.

Whereupon Messrs. Garlington, Ashmore and J. H. Read, Jun., were appointed a Committee to wait upon the SPEAKER elect and inform him of his election, who shortly after entered the Hall and conducted Mr. SIMONS to the Chair, who addressed the House as follows:

*Gentlemen of the House of Representatives:*

For the renewed evidence of your consideration and kindness in again elevating me to the distinguished position of presiding over the deliberations of this House, receive the assurances of my grateful acknowledgments.

Around this seat are clustered many proud recollections of patriotism, genius, and virtue; nor has it been more distinguished by these than by the courtesy, impartiality and firmness with which its grave and responsible duties have been discharged. These latter qualities I shall hope to emulate, nor do I believe otherwise than that they will be responded to, on your part, by the order, dignity, and decorum, which have always eminently characterized this body. It is by the observance of these reciprocal obligations that the burdens of legislation are lightened, and the best interests of our several constituencies, and the State at large, are cared for and subserved.

I cannot allow this opportunity to pass without congratulating you on

Bill be rejected?" If no opposition be made, or, if the question to reject the restoration of concord and fraternal sentiments throughout the limits of the State; and earnestly to hope that unanimity and kind feeling will characterize your deliberations, and be impressed upon any legislation which you may deem it proper to institute.

Imploring the Divine blessing on your labors, I now commend you to the prosecution of the business of this body.

The House then proceeded to the election of a Clerk.

A message was received from the Senate by their Clerk, informing the House that a quorum of the members of the Senate had met, had elected Mr. R. F. W. Allston, President, William E. Martin, Clerk, and John T. Goodwyn, Reading Clerk, and was now ready to proceed to business.

The House then proceeded to a first ballot for Door-keeper.

The following Message was received from the Senate:

IN THE SENATE, November 1, 1852.

*Mr. Speaker and Gentlemen of  
the House of Representatives:*

Senate has appointed Messrs. Witherspoon, Moses, Buchanan, Carew, Evins, Powe, Griffin, and Porter, a Special Committee on the part of Senate to nominate suitable persons for Electors of President and Vice President of the United States, and respectfully asks your House to appoint a similar Committee to join the Committee of Senate for that purpose.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. TRADEWELL, the Message was ordered to lie on the Table.

Mr. SULLIVAN submitted the following Resolution:

*Resolved*, That the Rules of the last House of Representatives be adopted as the Rules of the present House, saving that so much of the 58th Rule as requires Resolutions to lie over for a day, on the demand of ten members, be suspended during the present extra session.

Mr. MIDDLETON moved to amend the Resolution by striking out all after the word "Resolved" and inserting the following words: "That the Rules adopted by the House of Representatives in 1838 be adopted for the government of this House, except the 46th and 47th Rules, for which the following Rule is substituted: The first reading of a Bill shall be for information and reference; no amendment shall then be in order. If opposition be then made to the Bill, the question shall be—"Shall this



be lost, the Bill shall be referred to some Committee, unless the House unanimously agree, without debate, to dispense with reference.

*Resolved*, That so much of the 58th Rule as requires Resolutions to lie over for a day, on the demand of ten members, be suspended during the present extra session of the General Assembly."

And the question being put, Mr. MIDDLETON'S amendment was adopted, and the Resolution as amended was agreed to.

On motion of Mr. McGOWAN, ordered, that a Committee be appointed to wait upon His Excellency the Governor, and inform him that a quorum of the House had assembled, and was ready to receive any communication which he may be pleased to make.

Whereupon the SPEAKER appointed the following gentlemen of the Committee: Messrs. McGowan, Vance and Keitt.

The House then proceeded to a first ballot for Reading Clerk.

Mr. TORRE submitted the following Resolution:

*Resolved*, That it be referred to a Special Committee of five to enquire and report, whether Louis O'Bryan is not entitled to his seat in this House, as a member elect from the election District of St. Bartholomews.

Mr. MIDDLETON moved to amend the Resolution, by striking out the words, "a Special Committee of five," and inserting "the Committee of Privileges and Elections," and the question being put, tellers were called for and the House divided. Messrs. Torre and Sullivan were appointed to count the House, who reported 45 in the affirmative and 55 in the negative. So the House refused to agree to the amendment.

On motion of Mr. HUTSON, the Resolution was amended by striking out all after the word "*Resolved*" and inserting the following:

"That it be referred to a Committee of five members to enquire into the facts in relation to the recent election in St. Bartholomew's Parish, and report them to the House." The Resolution thus amended was agreed to, and the Speaker appointed the following gentlemen of the Committee: Messrs. Torre, Middleton, Sullivan, McCrady, and Hutson.

Mr. McGOWAN, from the Committee appointed to wait on the Governor, reported, that they had performed the duty assigned to them, and that the Governor would communicate to the House immediately.

Message No. 1 was then received from His Excellency the Governor, and read by Col. Beaufort T. Watts, his private Secretary.

EXECUTIVE DEPARTMENT, }  
COLUMBIA, Nov. 1, 1852. }

*Gentlemen of the Senate  
and House of Representatives:*

I have deemed it my duty to call you together on this occasion, to

enable the State to cast its vote for Electors of President and Vice President of the United States.

Some doubts have been entertained and expressed as to the constitutional power of the Governor to call the Legislature together for the purpose alluded to. The Constitution authorizes the Governor to convene the Legislature on extraordinary occasions. It has been seriously mooted, whether this is an extraordinary occasion, as the Legislature were aware of the contingency that would happen, and ought to have provided for it. This may be the case, but it is evident that no provision was made, and that the State would lose its vote in case I were to neglect or refuse to call you together. I think that any doubt which may have arisen on the subject has no real foundation in truth. It seems to me that the clear meaning of the Constitution is, that the Governor should have power to convene the Legislature to transact any business for the good of the commonwealth, which could not be transacted at its regular session.

Acting under the belief of the correctness of this construction, I have called you together. I am sustained in the propriety of this course by the precedent set by that able jurist, Ex-Governor Johnson. The Act of Congress, requiring the votes for Electors to be cast on the same day throughout the United States, was passed in January 2d, 1846, and Governor Johnson convened the Legislature on the first Monday in November, 1848. Thus you will perceive that two regular sessions of the Legislature had intervened between the date of the Act of Congress and the convening of the Legislature, which certainly made that occasion no more *extraordinary* than this.

I think I am also sustained in the course I have pursued by the sense of the Legislature itself; for had any doubts been entertained by it as to the power of the Governor to convene it for a purpose like this, the failure to make other provisions for casting the vote of the State would involve a neglect of duty, too flagrant ever to suppose them capable of.

I herewith transmit to you a report from the Secretary of the Interior, which shows that by the seventh census our State will lose a member to Congress.

This will impose the necessity of re-districting the State. Whether you will perform this duty now, or at your regular session, is a matter for your consideration and discretion.

On subjects of general interest to our State, I will address you at your regular session.

JOHN H. MEANS.

On motion of Mr. TRADEWELL, ordered that the Message with the accompanying documents, lie *on the Table*, and that the Message be printed.

Mr. ASHMORE, from the Committee appointed to count the ballots for Door-Keeper, reported that no candidate had received a majority and that, consequently, there was no election.

Mr. MIDDLETON submitted the following Resolution :

*Resolved*, That the appointment of electors of President and Vice Pre-

sident of the United States, for the term to commence on the 4th of March next, be made by joint ballot of the General Assembly in the Hall of the House of Representatives, at 12 o'clock, M., on Tuesday the 2nd. inst., as provided for by the Act of the Congress of the United States, ratified on the 23rd of January, 1845.

On motion of Mr. TRADEWELL, the Resolution was amended, by adding the following :

*Resolved*, That a message be sent to the Senate, asking the concurrence of that Body in the foregoing Resolution.

The Resolution, as amended, was then agreed to.

Mr. CLARKE submitted the following Resolution, was ordered to be considered immediately, was agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the present Session of the Legislature be adjourned on Tuesday, the 2nd instant.

Mr. ANDERSON, from the Committee appointed to count the ballots cast for Clerk, reported, that Thomas W. Glover received one hundred and six votes, which is a majority.

Whereupon the SPEAKER announced, that Thomas W. Glover is elected Clerk of the House of Representatives, and administered to him the constitutional oath of office.

On motion of Mr. MIDDLETON, ordered, that a Message be sent informing the Senate, that a quorum of the House has assembled, and elected Hon. JAMES SIMONS, SPEAKER, and THOMAS W. GLOVER, Clerk, and is now ready to proceed to business.

Mr. BEATY, from the Committee appointed to count the ballots for Reading Clerk, reported, that no Candidate had received a majority, and that, consequently, there is no election.

On motion of Mr. MIDDLETON, the House was adjourned at 48 minutes past 3 o'clock, P. M.

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TUESDAY, NOVEMBER 2, 1852.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. BOYLSTON, the House reconsidered the vote taken yesterday, referring the facts in relation to the recent election in St. Bartholomew's to a select Committee of five ; and the same was referred to the Committee on Privileges and Elections.

Mr. MIDDLETON submitted the following Resolutions which were ordered to be considered immediately, were agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the presiding officer of each Branch of the General Assembly do issue to the Clerks of their respective Houses, a pay bill for the sum of fifty dollars; and to each of the other officers of each House a pay bill for the same pay and mileage as are allowed to the members of the General Assembly—the same to be compensation for the services of each of said officers during the present extra Session.

*Resolved*, That the President of the Senate be authorized to issue to the Librarian a pay bill for the *per diem* pay allowed a member, as compensation to said Librarian for his services during the present Session.

Messrs. George A. Trenholm and Fleetwood Lanneau, members elect from Charleston, were qualified and took their seats; and Mr. William B. Seabrook, a member elect from St. Andrew's, produced his credentials, was sworn and took his seat.

Mr. TORRE submitted the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That a Committee of three be appointed forthwith by the Chair, to advertize for proposals for the printing of the House, at its regular Session, and that said Committee submit their report at the opening of the ensuing regular Session.

The House then proceeded, successively, to a second ballot for Reading Clerk, to a first ballot for Messenger and to a second ballot for Door-keeper.

Mr. BOYKIN, from the Committee appointed to count the votes cast for Reading Clerk, on the second ballot, reported, that no candidate received a majority, and that, consequently, there is no election.

The House then proceeded to a third ballot for Reading Clerk.

Mr. Henry D. Lesesne, a member elect from Charleston, was sworn and took his seat.

Mr. BURT, from the Committee appointed to count the votes cast for Door-Keeper, on the second ballot, reported, that no candidate had received a majority, and that, consequently, there was no election.

Mr. BROWN, from the Committee appointed to count the votes cast for Messenger, on the first ballot, reported, that no candidate received a majority, and that, consequently, there was no election.

The House then proceeded to a third ballot for Door-Keeper.

The Senate returned with their concurrence, a Resolution to appoint Electors of President and Vice President of the United States, and immediately afterwards the Senate attended in the Hall of the House of Rep-



representatives, and joined the House in a ballot for Electors of President and Vice President of the United States.

Mr. R. E. CAMPBELL, from the Committee appointed to count the votes cast for Reading Clerk, on the third ballot, reported, that no candidate had received a majority, and that, consequently, there was no election.

The House then proceeded to a fourth ballot for Reading Clerk, and immediately afterwards, to a second ballot for Messenger.

The SPEAKER announced, that Mr. Robert Munro, jun., is appointed Cashier, and Mr. John A. Gadsden, Deputy Cashier of the House of Representatives.

Mr. CAUTHEN, from the Committee appointed to count the votes cast for Door-Keeper, on the third ballot, reported, that A. Palmer received sixty-seven votes which is a majority.

Whereupon the SPEAKER announced, that A. Palmer is elected Door-Keeper of the House of Representatives, and administered to him the constitutional oath of office.

Mr. CROSSON, from the Committee appointed to count the votes cast for Reading Clerk, on the fourth ballot, reported, that John S. Richardson, jun., received sixty-six votes, which is a majority.

Whereupon, the SPEAKER announced, that John S. Richardson, jun., is elected Reading Clerk of the House of Representatives, and administered to him the constitutional oath of office.

The Senate sent to this House for concurrence a Resolution to adjourn the General Assembly; which was ordered to *lie on the Table*.

The Senate returned to this House with their concurrence, a Resolution to adjourn the present Session of the General Assembly.

Mr. KEITT submitted the following Resolution:

*Resolved*, That the Reading Clerk prepare and have printed a list of the members of the House of Representatives, with their respective post offices.

On motion of Mr. HUTSON, the Resolution was amended by adding after the word "printed" the words "in pamphlet form," and thus amended the Resolution was agreed to.

Mr. TORRE, from the Committee appointed to count the votes cast for Messenger, on the second ballot, reported, that Thomas W. Dinkins received fifty-three votes, which is a majority.

Whereupon the SPEAKER announced, that Thomas W. Dinkins is elected Messenger of the House of Representatives, and administered to him the constitutional oath of office.

Message No. 2 was received from His Excellency the Governor, and read by Col. Beaufort T. Watts, his private Secretary, announcing the deaths of Hon. Henry Clay and Hon. Daniel Webster.

EXECUTIVE DEPARTMENT, }  
COLUMBIA, Nov. 2, 1852. }

*Gentlemen of the Senate  
and House of Representatives :*

I feel it my duty, officially, to announce to you the deaths of two of our most illustrious statesmen, Henry Clay and Daniel Webster, which have occurred since your last meeting.

Thus, in the space of three short years, have passed away from the stage of action three of the greatest names that have ever adorned the history of our country. Calhoun, Clay, and Webster, were names which were upon every lip, for praise or blame, according to the peculiar political tenets of those who pronounced them. They were the shining stars of our Republic. One by one they have been extinguished, as though they were not permitted to shine but in conjunction. While we mourn the loss of our own Calhoun, we should not withhold our homage to the intellectual power and worth of his great compeers, or refuse to mingle our tears with Kentucky or Massachusetts o'er the tombs of their favorite sons. Differing, it is true, upon the agitating subjects of the day, now that the grave has closed over them, we should forget whatever of frailty was incident to their mortality, and only remember them as the great intellectual lights which shed a halo of glory around the history of our common country.

J. H. MEANS.

Mr. MIDDLETON submitted the following Resolutions :

*Be it Resolved*, That the General Assembly of South Carolina, deploras the bereavements which have fallen upon the Confederacy at large in the decease of those illustrious citizens and eminent orators and statesmen, Henry Clay and Daniel Webster ; and that whilst we thus have recalled to us the memory of sorrows nearer home, it but adds to the poignancy of our grief, to know that others mourn as we have mourned.

*Resolved*, That we offer with fraternal feelings our condolence to our co-States of the Union on this sorrowful occasion, and more particularly do we tender it to the Commonwealths of Kentucky and Massachusetts.

*Resolved*, That his Excellency the Governor be requested to communicate the foregoing Resolutions to the Executives of Kentucky and Massachusetts.

On motion of Mr. TORRE, the second Resolution was amended by adding after the word "communicate" the words "a copy of his Message to the General Assembly, together with."

On motion of Mr. MIDDLETON, the word "unanimously" was added before the word "Resolved" in each Resolution ; and thus amended the Resolutions were ordered to be considered immediately, were agreed to, and were ordered to be sent to the Senate for concurrence.

Mr. McGOWAN submitted the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That Sandford J. May, who was Door-keeper for the last House of Representatives, and who has acted in that capacity during the present session up to this time be paid his *per diem* for said service.

Mr. HUTSON submitted the following Resolution :

*Resolved*, That while this General Assembly have deemed it best, under all the political circumstances of the time, to select Franklin H. Pierce and William R. King as the proper persons of those before the country for President and Vice President of the United States, we desire distinctly to record our continued opposition to the series of measures commonly called the Compromise, except the Fugitive Slave Law, and hereby renew our solemn protest against them.

After discussion, on motion of Mr. THOMSON, the Resolution was ordered to lie *on the Table*.

Mr. CLARKE, from the Committee appointed to count the ballots cast for Electors of President and Vice President of the United States, reported that Messrs. C. G. Memminger, Gabriel Cannon, T. P. Brockman, J. H. Adams, R. F. W. Allston, J. F. Marshall, W. D. Porter, and M. E. Carn each received a majority of the ballots cast.

Whereupon the SPEAKER announced that the eight foregoing gentlemen were duly elected Electors of President and Vice President of the United States.

Mr. MIDDLETON submitted the following Resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the presiding officers of the two Houses be requested to inform his Excellency the Governor, that the General Assembly has appointed Messrs. C. G. Memminger, Gabriel Cannon, T. P. Brockman, J. H. Adams, R. F. W. Allston, J. Foster Marshall, W. D. Porter, and M. E. Carn, Electors of President and Vice President of the United States for the term to commence on the 4th of March next.

Mr. ASHMORE submitted the following Resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the Clerks of the two Houses be requested to notify the Electors of President and Vice President of their appointment.

The following Message was received from the Senate :

IN THE SENATE, November 2, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend the Resolutions of your House in relation to the decease of Henry Clay and Daniel Webster, by

striking out the word "unanimously" before the word "Resolved" in each of the Resolutions.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House granted leave to the Senate to make the amendment, and an answer was returned.

The Senate returned with their concurrence a resolution relating to the pay of officers of the two Houses.

Mr. SEIGLING submitted the following Resolution, which was considered immediately :

*Resolved*, That the Clerk provide, for the use of the House, by the regular session, a map from wood impression of the Districts of the State, together with the population of the various Districts, according to the late Federal census, on a small scale, one copy for each member, at the cost not to exceed fifty dollars.

Mr. TRADEWELL moved to amend the Resolution by striking out "fifty" for the purpose of inserting "one hundred."

Mr. ASHMORE moved to insert "one hundred and twenty-four," and his motion having precedence, was first put and was adopted. The Resolution as amended was then agreed to.

Mr. TRADEWELL submitted the following Resolution, which was agreed to :

*Resolved*, That E. S. J. Hayes, who was messenger for the last session, and who has acted in that capacity during the present session up to this time, be paid his *per diem* and mileage for said service.

The Senate returned, with their concurrence, Resolutions in relation to the decease of Henry Clay and Daniel Webster ;

Resolution requesting the presiding officers of the two Houses to inform the Governor of the appointment of the Electors of President and Vice President of the United States ; and a

Resolution requesting the Clerks of the two Houses to inform the Electors of President and Vice President of their appointment.

The Senate informed the House, by their Clerk, that they had disposed of the business before them, and were ready to adjourn the present session of the General Assembly.

On motion of Mr. McGOWAN, the House reconsidered the vote taken this day on agreeing to a Resolution to pay Sandford J. May, late Door-keeper ; and the Resolution was amended by adding, after the words "*per diem*," the words "and mileage ;" and, thus amended, the Resolution was agreed to.

On motion of Mr. READ, ordered, that the Clerk of the House inform the Senate that the special business of the present session has been disposed of, and that the House of Representatives is now ready to adjourn the present session of the General Assembly.

The Clerk having returned, on motion of Mr. TORRE, the SPEAKER adjourned the House of Representatives, *sine die*, at 27 minutes after 2 o'clock, P. M.

### ERRATA.

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At page 11 and 22nd line, after "Session," add "The Speaker appointed the following gentlemen of the Committee: Messrs. Torre, McGowan and Owens."

At page 13 and 9th line from bottom, for "second" insert "third."



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EXTRA SESSION, Nov., 1852.

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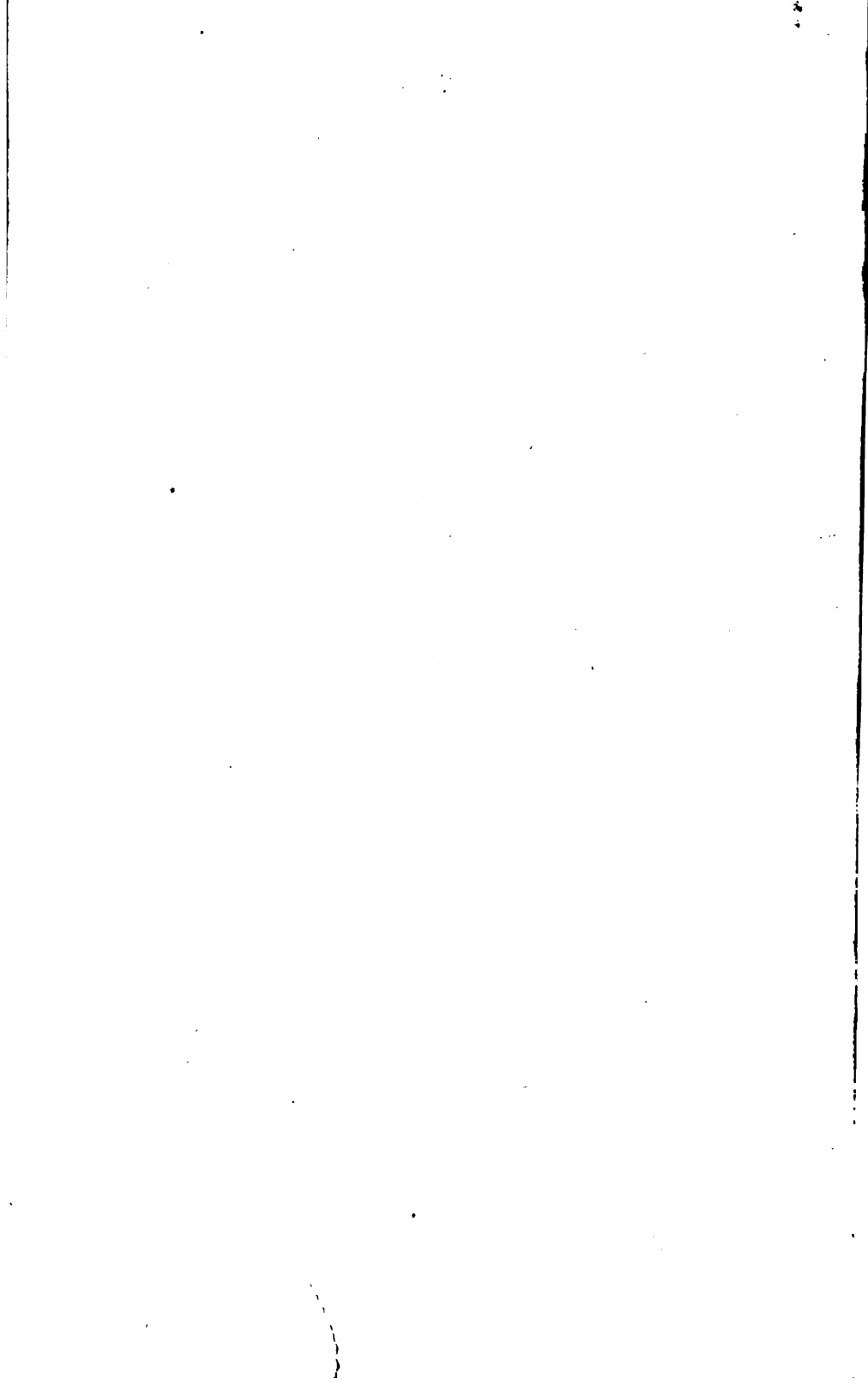
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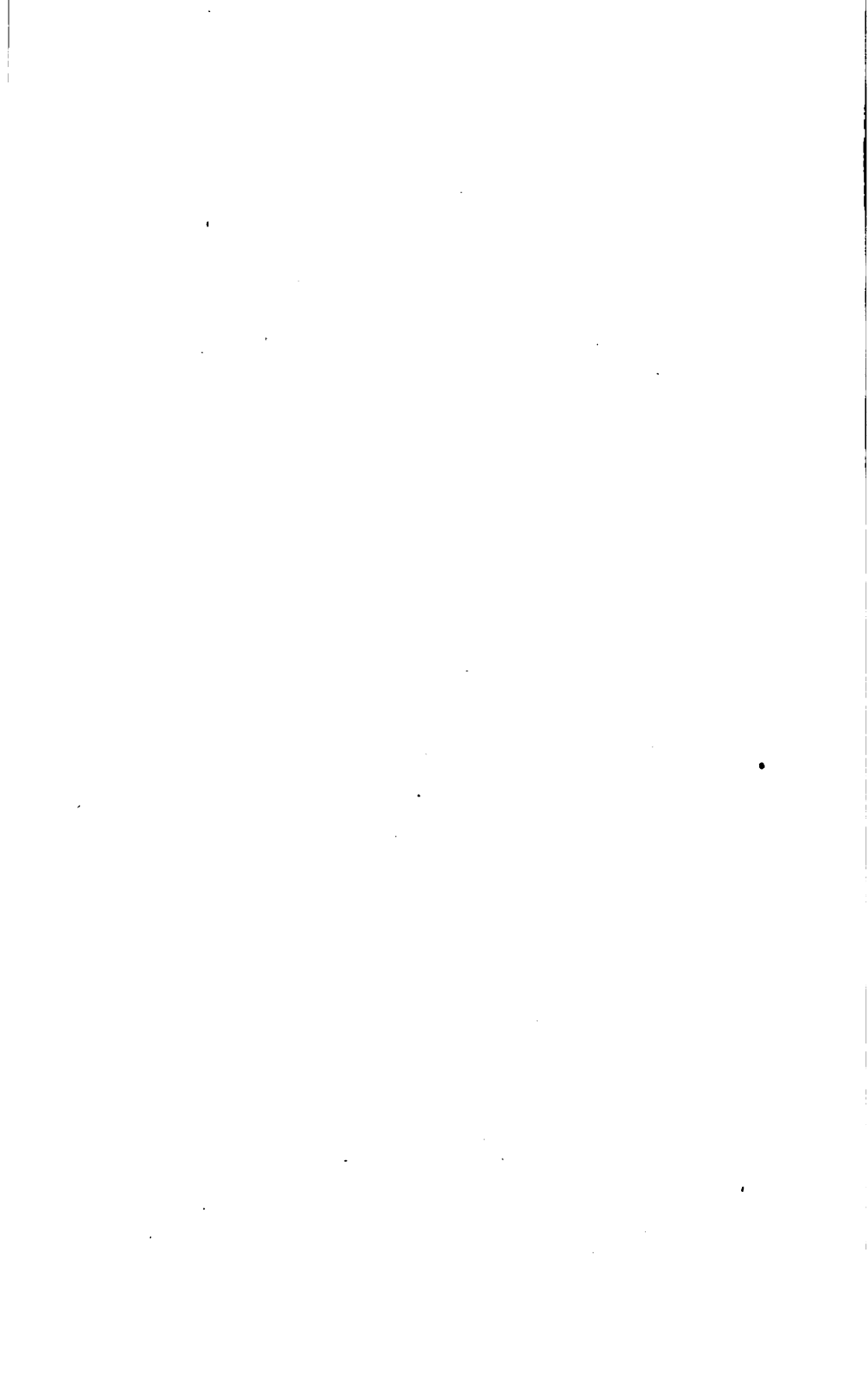
**STATE OF SOUTH CAROLINA:**

**BEING THE**

**ANNUAL SESSION OF 1852.**



**COLUMBIA, S. C.:**  
**R. W. GIBBES, STATE PRINTER.**  
1852.



**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF THE**  
**STATE OF SOUTH CAROLINA.**

**BEING THE REGULAR SESSION OF NOVEMBER, 1852.**

---

**MONDAY, NOVEMBER 22, 1852.**

General Assembly of the State of South Carolina, begun and held at the Capitol, in Columbia, on the twenty-second day of November, in the year of our Lord one thousand eight hundred and fifty-two, on which day, being that fixed by the Constitution for the meeting of the General Assembly,

The Honorable JAMES SIMONS, Speaker, (a member from Charleston,) and the following Members of the House of Representatives, appeared and took their seats :

*From Abbeville.*—Messrs. J. W. Hearst, and Thomas Thomson.

*From All Saints.*—Mr. Allard B. Flag.

*From Barnwell.*—Messrs. William A. Owens, S. W. Trotti, James Patterson, and N. G. W. Walker.

*From Charleston.*—Messrs. G. N. Reynolds, jun., Henry C. King, J. F. Poppenheim.

*From Chester.*—Mr. Tillman Ingram.

*From Chesterfield.*—Messrs. James W. Blakeney and E. B. C. Cash.

*From Christ Church.*—Mr. Thomas M. Wagner.

*From Claremont.*—Messrs. J. T. Green, J. D. Ashmore, and J. B. Witherspoon.

*From Clarendon.*—Mr. J. I. Ingram.

*From Darlington.*—Messrs. E. W. Charles, J. Ervin Byrd, and John F. Ervin.

*From Edgefield.*—Messrs. W. S. Mobley, A. J. Hammond, John C. Allen, Wiley Harrison, Z. W. Carwile and S. Christie.

*From Fairfield.*—Messrs. Henry H. Clarke, J. N. Shedd and R. B. Boylston.

*From Greenville.*—Messrs. Wm. P. McBee, Nathaniel Morgan and Perry E. Duncan.

*From Kershaw.*—Messrs. Joseph B. Kershaw and A. H. Boykin.

*From Kingston.*—Mr. Robert Munro, jun.

*From Lancaster.*—Mr. W. C. Cauthen.

*From Laurens.*—Messrs. C. P. Sullivan, John Hudgens, R. E. Campbell and George Anderson.

*From Liberty.*—Mr. W. R. Johnson.

*From Marlborough.*—Messrs. Charles A. Thornwell and Thomas C. Weatherly.

*From Newberry.*—Messrs. A. C. Garlington, James M. Crosson and Reuben G. Pitts.

*From Orange.*—Messrs. L. M. Keitt and L. E. Cooner.

*From Pendleton.*—Messrs. William S. Pickens, William D. Steele, Elijah Alexander, jun., O. R. Broyles, Francis Burt and George R. Brown.

*From Prince Williams.*—Mr. William F. Hutson.

*From Richland.*—Messrs. James D. Tradewell, C. T. Howell, Wade Hampton, jun., and Wm. Maybin.

*From Saxe-Gotha.*—Messrs. John Fox and J. C. Hope.

*From Spartan.*—Messrs. J. W. Tucker, E. C. Leitner, J. Winsmith and B. F. Bates.

*From St. James, Santee.*—Mr. John A. Gadsden.

*From St. Matthews.*—Mr. O. M. Dantzler.

*From St. Peters.*—Mr. J. S. Lawton.

*From Union.*—Messrs. R. Beaty and J. M. Gadberry.

*From Williamsburg.*—Messrs. A. Isaac McKnight and B. W. Bradley.

*From Winyah.*—Messrs. Gabriel Manigault, J. Izard Middleton, and J. Harleston Read, Jun.

A quorum of members being present, the SPEAKER took the Chair, and the Clerk read the Journal of the proceedings of the last day of the last session.

The Senate, by their Clerk, informed the House that a quorum had assembled, and was now ready to proceed to business.

Messrs. Benjamin Fauvel Hunt, member elect from Charleston, and James Eppes, member elect from Clarendon, were sworn and took their

seats ; and Mr. R. L. Tillinghast, a member elect from St. Luke's, produced his credentials, was sworn and took his seat.

On motion of Mr. ASHMORE,

*Ordered*, That a Committee be appointed to wait on his Excellency the Governor and inform him that a quorum of the House of Representatives had assembled, was ready to proceed to business, and to receive any communication he would be pleased to make : Whereupon the SPEAKER appointed Messrs. Ashmore, Keitt and Baylston of the Committee.

Mr. KEITT submitted the Presentment of the Grand Jury of Orangeburg District at Fall Term of 1852, presenting the condition of the Court House, and recommending the enlargement thereof ; which was referred to the Committee on Public Buildings.

Mr. PATTERSON submitted the Presentment of the Grand Jury of Barnwell District for Fall Term, 1852.

So much as relates to the Free School system and to a digest of the Poor and Free School Laws, was referred to the Committee on Education :

So much as recommends the establishment of a Penitentiary was referred to the Committee on the Judiciary :

And so much as relates to navigable streams was referred to the Committee on Internal Improvements.

Mr. HAMPTON presented the memorial of sundry citizens of Columbia and its vicinity, recommending the incorporation of another Bank in the town of Columbia : which was referred to the Committee of Ways and Means.

Mr. POPPENHEIM gave notice that he will ask leave to-morrow to introduce a Bill prescribing the manner in which the Electors of President and Vice President of the United States shall hereafter be elected in South Carolina.

Mr. TUCKER presented the petitions of sundry citizens of Spartanburg, praying the establishment of new places of election ; which were referred to the Committee on Privileges and Elections.

Also, the claim of Dr. P. M. Wallace, for printing ; which was referred to the Committee on Claims.

Mr. TUCKER submitted the following Resolution, which was ordered to be considered immediately, and which was agreed to :

*Resolved*, That a Special Committee of five persons be appointed by the Chair to take into consideration the subject of Common School Education in South Carolina, with a view to the improvement of the same,



and that said Committee be permitted to report the result of their investigation to this house by Bill or otherwise.

The SPEAKER appointed the following gentlemen of the Committee:—Messrs. Tucker, Melton, Garlington, Hutson, and Manigault.

Mr. GADBERRY presented the petition of John Gibbs, Sheriff of Union District, praying compensation for conveying prisoners to and from Columbia, and for blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. MAYBIN presented the memorial of John Bryce and others, praying a charter for the "Columbia Gaslight Company;" which was referred to the Committee on Incorporations.

Mr. GARLINGTON gave notice, that he will to-morrow ask leave to introduce a Bill, to establish a Bank in the town of Newberry.

Mr. BRADLEY gave notice, that he will to-morrow ask leave to introduce a Bill, to afford aid in constructing the North Eastern Rail Road.

Mr. LEITNER gave notice, that he will ask leave to-morrow to introduce a Bill, providing compensation for Managers of Election:

Also a Bill, to restore the Law, authorizing the appointment of Sutlers at Muster grounds upon certain conditions:

Also a Bill, to alter and amend the Law, in relation to the Education of the deaf and dumb of this State; and

Also, a Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce.

Mr. KEITT gave notice, that he will ask leave to-morrow to introduce a Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits.

Mr. ASHMORE, from the Committee appointed to wait on his Excellency, the Governor, reported that they had performed that duty, and that his Excellency would communicate to this House to-morrow, at one o'clock, P. M.

Mr. HAMPTON gave notice, that he will to-morrow ask leave to introduce a Bill to incorporate the Exchange Bank in the Town of Columbia.

Mr. HUTSON gave notice, that he will to-morrow ask leave to introduce a Bill to declare and amend the Law in relation to words of limitation in deeds and wills.

Mr. SULLIVAN gave notice, that he will ask leave on Wednesday

next to introduce a Bill to alter and arrange the times of the sitting of the Courts of Equity in the fifth Circuit.

Mr. HUNT gave notice, that he will ask leave to-morrow to introduce a Bill to provide for dispatch of business in cases of appeals from the Circuit Courts :

Also a Bill to prescribe the mode of carrying appeals from the Circuit Courts of Law, and bills of exceptions :

Also, a Bill to fix the term of office of all persons officially entitled to receive the money of citizens, and to secure more perfectly money in the hands of public officers :

Also, a Bill relative to the more perfect administration of the Estates of Intestates, and derelict Estates :

Also, a Bill to regulate the practice in the Court of Equity, and,

Also, a Bill to simplify the practice and expedite the final disposition of cases in the Courts of Law.

Mr. HAMPTON presented the return of the Commissioners of Free Schools for Richland District, for the year 1852 ;

And, Mr. WAGNER presented the return of the Commissioners of Free Schools for Christ Church for the same year ; which were severally referred to the Committee on Education.

Mr. BOYLSTON presented the account of Britton & Mickle for public printing, which was referred to the Committee on Claims.

Mr. THORNWELL presented the return of the Commissioners of Free Schools for Marlborough District, for the year 1852 ; and,

Mr. DUNCAN, the return of Commissioners of Free Schools for Greenville District for the same year ; which were severally referred to the Committee on Education.

On motion of Mr. POPPENHEIM, ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. TUCKER, the House was adjourned at 50 minutes past 12 o'clock, M.

---

TUESDAY, NOVEMBER 23, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats :

*From Charleston*—Messrs. J. Charles Blum, A. W. Burnet, J. B. Campbell, T. O. Elliott, Fleetwood Lanneau, H. D. Lesesne, E. McCrady, J. Seigling, jun., Peter D. Torre, and G. A. Trenholm.

*From Abbeville*.—Messrs. S. Jordan, S. McGowan, and J. K. Vance.

*From Chester*.—Messrs. W. A. Rosborough, and C. D. Melton.

*From Lancaster*.—Mr. T. K. Cureton.

*From Liberty*.—Mr. W. S. Mullins.

*From Pendleton*.—Mr. J. T. Sloan.

*From Spartan*.—Mr. H. J. Dean.

*From St. Andrews*.—Mr. W. B. Seabrook.

*From St. Bartholomews*.—Messrs. Josiah B. Perry and Peter Stokes.

*From St. George's, Dorchester*.—Mr. A. E. Mooror.

*From St. James, Goose Creek*.—Mr. J. Murray.

*From St. John's, Colleton*.—Messrs. J. J. R. Wescoat and W. M. Bailey.

*From St. Pauls*.—Mr. W. E. Haskell.

*From St. Peters*.—Mr. A. R. Johnston.

*From Union*.—Mr. B. H. Rice.

*From York*.—Messrs. W. J. Clawson, A. B. Springs, A. S. Wallace, and G. W. Williams.

Mr. Henry Gourdin, a member elect from Charleston, and Mr. D. H. Ellis, a member elect from Prince Williams, appeared, were sworn, and took their seats.

The SPEAKER then announced the appointment of the following Standing Committees of this House :

#### COMMITTEE ON PRIVILEGES AND ELECTIONS.

Messrs. John T. Sloan,

- |                              |                      |
|------------------------------|----------------------|
| 2. George N. Reynolds, jun., | 3. J. W. Tucker,     |
| 4. A. C. Garlington,         | 5. H. H. Clark,      |
| 6. A. B. Springs,            | 7. Benj. J. Johnson, |
| 8. James Sinkler,            | 9. Wm. F. Hutson,    |
| 10. Edgar W. Charles,        | 11. A. B. Flag.      |

#### COMMITTEE OF WAYS AND MEANS.

Messrs. J. Izard Middleton,

- |                        |                             |
|------------------------|-----------------------------|
| 2. George A. Trenholm, | 3. Charles P. Sullivan,     |
| 4. T. M. Wagner,       | 5. J. D. Ashmore,           |
| 6. P. Della Torre,     | 7. J. Harleston Read, jun., |
| 8. John T. Sloan,      | 9. J. Winsmith.             |

COMMITTEE ON FEDERAL RELATIONS.

Messrs. Nelson Mitchell,

- |                       |                        |
|-----------------------|------------------------|
| 2. Gabriel Manigault, | 3. L. M. Keitt,        |
| 4. A. H. Boykin,      | 5. W. P. McBee,        |
| 6. James B. Campbell, | 7. Wade Hampton, jun., |
| 8. Thomas O. Elliott, | 9. N. G. W. Walker.    |

COMMITTEE ON THE JUDICIARY.

Messrs. Benjamin F. Hunt,

- |                       |                     |
|-----------------------|---------------------|
| 2. Nelson Mitchell,   | 3. H. D. Lesesne,   |
| 4. Wm. F. Hutson,     | 5. S. W. Trotti,    |
| 6. A. C. Garlington,  | 7. C. A. Thornwell, |
| 8. R. L. Tillinghast, | 9. R. B. Boylston.  |

COMMITTEE ON INTERNAL IMPROVEMENTS.

Messrs. E. C. Leitner,

- |                     |                   |
|---------------------|-------------------|
| 2. J. K. Vance,     | 3. John C. Allen, |
| 4. George Anderson, | 5. W. W. Durant,  |
| 6. E. B. C. Cash,   | 7. J. S. Lawton,  |
| 8. W. B. Seabrook,  | 9. Joseph Murray. |

COMMITTEE ON CLAIMS.

Messrs. J. D. Ashmore,

- |                       |                      |
|-----------------------|----------------------|
| 2. H. J. Dean,        | 3. Jas. B. Campbell, |
| 4. E. Alexander, jun. | 5. Saml. Cruikshank, |
| 6. Wiley Harrison,    | 7. J. D. Tradewell,  |
| 8. Thomas O. Elliott, | 9. J. M. Gadberry.   |

COMMITTEE ON MILITARY.

Messrs. Samuel McGowan,

- |                       |                       |
|-----------------------|-----------------------|
| 2. Samuel Cruikshank, | 3. J. Chas. Blum,     |
| 4. James Sinkler,     | 5. Gabriel Manigault, |
| 6. J. M. Gadberry,    | 7. B. F. Bates,       |
| 8. W. S. Pickens,     | 9. J. M. Crosson.     |

COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Messrs. W. A. Owens,

- |                      |                   |
|----------------------|-------------------|
| 2. Nathaniel Morgan, | 3. A. E. Mooror,  |
| 4. Tillman Ingram,   | 5. B. H. Rice,    |
| 6. W. B. Seabrook,   | 7. W. C. Cauthen, |
| 8. Z. W. Carwile,    | 9. James Eppes.   |

## COMMITTEE ON PUBLIC BUILDINGS.

Messrs. Edgar W. Charles.

- |                      |                  |
|----------------------|------------------|
| 2. T. K. Cureton,    | 3. R. G. Pitts,  |
| 4. W. S. Mobley,     | 5. Wm. Maybin,   |
| 6. W. A. Rosborough, | 7. John Hudgens, |
| 8. A. I. McKnight,   | 9. J. C. Hope.   |

## COMMITTEE ON INCORPORATIONS.

Messrs. Edward McCrady,

- |                     |                        |
|---------------------|------------------------|
| 2. Josiah B. Perry, | 3. John F. Poppenheim, |
| 4. Frank Burt,      | 5. Henry C. King,      |
| 6. J. M. Crosson,   | 7. C. D. Melton,       |
| 8. C. A. Thornwell, | 9. B. H. Rice.         |

## COMMITTEE ON EDUCATION.

Messrs. Charles P. Sullivan,

- |                    |                    |
|--------------------|--------------------|
| 2. A. W. Burnett,  | 3. R. E. Campbell  |
| 4. W. C. Cauther,  | 5. S. W. Trotti,   |
| 6. Wm. E. Haskell, | 7. A. R. Johnston, |
| 8. J. W. Hearst,   | 9. Wm. M. Bailey.  |

## COMMITTEE ON ACCOUNTS.

Messrs. Frank Burt,

- |                       |                     |
|-----------------------|---------------------|
| 2. J. Chas. Blum,     | 3. James Patterson, |
| 4. Fleetwood Lanneau, | 5. Z. W. Carwile,   |
| 6. A. B. Springs,     | 7. J. W. Blakeney,  |
| 8. W. S. Mullins,     | 9. Saml. Jordan.    |

## COMMITTEE ON COLORED POPULATION.

Messrs. J. Harleston Read, Jr.,

- |                        |                         |
|------------------------|-------------------------|
| 2. J. K. Vance,        | 3. A. J. Hammond,       |
| 4. C. T. Howell,       | 5. R. Beaty,            |
| 6. John Seigling, Jr., | 7. R. E. Campbell,      |
| 8. John A. Gadsden,    | 9. Geo N. Reynolds, Jr. |

## COMMITTEE ON DISTRICT OFFICERS AND OFFICES.

Messrs. L. M. Keitt,

- |                    |                      |
|--------------------|----------------------|
| 2. R. G. Pitts,    | 3. J. Fox,           |
| 4. J. W. Blakeney, | 5. Nathaniel Morgan, |
| 6. J. B. Kershaw,  | 7. S. Christie,      |
| 8. W. S. Pickens,  | 9. John T. Green.    |

COMMITTEE ON AGRICULTURE.

Messrs. P. E. Duncan,

- |                       |                        |
|-----------------------|------------------------|
| 2. J. Fox,            | 3. Wade Hampton, Jr.,  |
| 4. W. Mazyck Porcher, | 5. William E. Haskell, |
| 6. W. P. McBee,       | 7. Olin M. Dantzler,   |
| 8. J. J. R. Wescoat,  | 9. E. B. C. Cash.      |

COMMITTEE ON GRIEVANCES.

Messrs. T. K. Cureton,

- |                    |                       |
|--------------------|-----------------------|
| 2. A. K. Johnston, | 3. James Patterson,   |
| 4. O. R. Broyles,  | 5. W. Mazyck Porcher, |
| 6. W. J. Clawson,  | 7. J. F. Ervin,       |
| 8. L. E. Cooner,   | 9. Peter Stokes.      |

COMMITTEE ON LUNATIC ASYLUM.

Messrs. Thomas Thomson,

- |                       |                        |
|-----------------------|------------------------|
| 2. H. H. Clark,       | 3. John F. Poppenheim, |
| 4. J. B. Witherspoon, | 5. J. Ervin Byrd,      |
| 6. Joseph Murray,     | 7. W. S. Mobley,       |
| 8. George R. Brown,   | 9. W. R. Johnson.      |

COMMITTEE ON PENSIONS.

Messrs. G. W. Williams,

- |                   |                      |
|-------------------|----------------------|
| 2. H. J. Dean,    | 3. A. S. Wallace,    |
| 4. A. E. Moorcr,  | 5. T. C. Weatherly,  |
| 6. John C. Allen, | 7. Robert Munro, Jr. |
| 8. W. W. Steele,  | 9. J. C. Hope.       |

COMMITTEE ON PUBLIC PRINTING.

Messrs. P. Della Torre,

- |                       |                    |
|-----------------------|--------------------|
| 2. E. Alexander, Jr.  | 3. J. W. Tucker,   |
| 4. A. W. Burnett,     | 5. T. M. Wagner,   |
| 6. J. B. Witherspoon, | 7. Wiley Harrison. |

MEDICAL COMMITTEE.

Messrs. J. I. Ingram,

- |                   |                   |
|-------------------|-------------------|
| 2. B. W. Bradley, | 3. J. W. Hearst,  |
| 4. J. Winsmith,   | 5. O. R. Broyles, |
| 6. W. M. Bailey,  | 7. W. R. Johnson. |

## COMMITTEE ON VACANT OFFICES.

Messrs. Benjamin J. Johnson,

- |                       |                     |
|-----------------------|---------------------|
| 2. Fleetwood Lanneau, | 3. George Anderson, |
| 4. J. N. Shedd,       | 5. B. W. Bradley,   |
| 6. J. Ervin Byrd,     | 7. A. B. Flag.      |

## COMMITTEE ON ENGROSSED ACTS.

Messrs. Josiah B. Perry,

- |                       |                   |
|-----------------------|-------------------|
| 2. Henry C. King,     | 3. J. B. Kershaw, |
| 4. John Seigling, Jr. | 5. W. S. Mullins. |

## COMMITTEE ON LEGISLATIVE LIBRARY.

Messrs. A. H. Boykin,

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| 2. H. D. Lesesne,  | 3. C. D. Melton,     |
| 4. R. B. Boylston, | 5. Olin M. Dantzler. |

Mr. OWENS presented the petition of Bartlett Red and Samuel Webb, praying compensation for carrying prisoners to Jail;

Also the petition of Dr. S. B. Graham, for *post mortem* examinations, and for medical services rendered State prisoners; and

Also the account of Dr. John W. Ogilvie for *post mortem* examinations; which were severally referred to the Committee on Claims.

Also the petition of sundry citizens of Barnwell District, praying that Tinker's Creek be declared a navigable stream; and

Also the petition of sundry citizens of the same district, praying that it may not be declared a navigable stream; which were severally referred to the Committee on Internal Improvements;

Also the petition of Weyhe & Wessels, praying to be refunded a double tax; which was referred to the Committee on Ways and Means; and

Also the return of the Commissioners of Free Schools for Barnwell District; which was referred to the Committee on Education.

Mr. WAGNER presented the petition of the Intendant and Wardens of the Town of Mount Pleasant, praying the appointment of Commissioners to extend Pitt-street; which was referred to the Committee on Internal Improvements.

Mr. MAYBIN presented the accounts of Drs. J. H. Thomson, J. H. Boatwright, A. W. Kennedy and J. S. Crane; which were severally referred to the Committee on Claims.

Mr. McGOWAN presented the memorial of John A. Calhoun, Esqr. President of the "Abbeville School Association," praying that the said

Association may be rechartered ; which was referred to the Committee on Incorporations.

Also the Memorial of the Clerk of the Court of Appeals at Columbia, asking an increase of compensation ; which was referred to the Committee on the Judiciary.

Also the Petition of A. Lites, praying compensation for a slave executed ; which was referred to the Committee on Claims.

Also the Petition of the Commissioners of Public Buildings of Abbeville District, praying an appropriation to build a new Court House and Jail for said District ; which was referred to the Committee on Public Buildings.

Also the Petition of sundry citizens of Abbeville District, praying for the establishment of a new road from Asberry Church to Greenwood in said District ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. McGOWAN submitted the Presentment of Grand Jury of Abbeville District for March Term, 1852.

So much as relates to the erection of a new Jail for the District ; to the mode of appointing Commissioners of Public Buildings, and the propriety of the Treasurers of the various Boards of Commissioners giving bond and security, was referred to the Committee on Public Buildings.

So much as relates to the rates of tuition in Free Schools was referred to the Committee on Education.

So much as relates to the proper mode of maintaining public paupers was referred to the Committee on Pensions.

So much as relates to the carrying of concealed deadly weapons, and to the increase of the jurisdiction of Magistrates, was referred to the Committee on the Judiciary.

So much as relates to the practice of horse racing on the public roads was referred to the Committee on Grievances.

Mr. GREEN presented the Account of Dr. John J. Bossard for *post mortem* examination of two slaves ; which was referred to the Committee on Claims.

Mr. GREEN submitted the Presentment of Grand Jury of Sumter District for Fall Term, 1852.

So much as recommends that the jurisdiction of Magistrates in civil causes, in Sumter District, be limited to the extent of the Election Districts in which they reside, was referred to the Committee on District Officers and Offices.



So much as relates to the present condition of the Road in the Santee Swamp, at Vance's Ferry, was referred to the Committee on Internal Improvements.

So much as presents the present condition of the Free School system was referred to the Committee on Education.

So much as presents the practice of carrying concealed deadly weapons was referred to the Committee on the Judiciary.

Mr. VANCE presented the Petition of citizens of Cokesbury, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. GARLINGTON presented the Petition of James D. Mansfield, praying to be paid arrears of pension; which was referred to the Committee on Pensions.

Also the Petition of the Wardens and Vestry of St. Luke's Church, praying an Act of Incorporation; which was referred to the Committee on Incorporations,

Also the Account of Dr. B. T. Yarborough for a *post mortem* examination; which was referred to the Committee on Claims.

Also the Return of the Commissioners of Free Schools for Newberry District for 1852; which was referred to the Committee on Education.

Mr. GARLINGTON submitted the Presentment of the Grand Jury of Newberry District for Fall Term, 1852.

So much as recommends the building of a new Jail, was referred to Committee on Public Buildings.

So much as presents the granting of tavern licenses under the Act of 1849, was referred to the Committee on Roads, Bridges and Ferries.

So much as presents the present Free School system was referred to the Committee on Education, and

So much as presents the carrying of concealed deadly weapons, was referred to the Committee on the Judiciary.

Mr. McKNIGHT presented the Return of the Commissioners of Free Schools for Williamsburg District, for 1852, which was referred to the Committee on Education, and

Also, the petition of sundry citizens of Williamsburg District, praying aid to open a cut; which was referred to the Committee on Internal Improvements.

Mr. A. R. JOHNSTON presented the accounts of Dr. David M. Laffitte, and Dr. N. H. Johnston, praying compensation for *post mortem* examinations, which were severally referred to the Committee on Claims.

Also the return of the Commissioners of Free Schools for St. Peter's Parish, for the year 1852, which was referred to the Committee on Education.

Mr. PATTERSON presented the accounts of Doctors W. W. Smith, and W. H. Haygood, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. TUCKER presented the Return of the Commissioners of Free Schools for Spartanburgh District, for the year 1852; which was referred to the Committee on Education, and

Also the account of the Palmetto Standard for Public Printing, which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of the Richland Volunteer Rifle Company for recharter; which was referred to the Committee on the Military.

Also the petition of the Commercial Bank of Columbia, praying a renewal of charter; which was referred to the Committee of Ways and Means.

Also the Report of the Regents of the Lunatic Asylum; which was referred to the Committee on the Lunatic Asylum, and five hundred copies of the Report were ordered to be printed.

Mr. McCRADY presented the petition of the Planters' and Mechanics' Bank for a recharter; which was referred to the Committee of Ways and Means.

Mr. REYNOLDS submitted the Presentments of the Grand Juries of Charleston District, for Spring and Fall Terms 1852.

So much as presents the practice of running, as vacant land that which had been before granted, was referred to the Committee on the Judiciary.

So much as relates to the unlawful traffic with slaves, was referred to Committee on Colored Population.

So much as relates to the contracting of debts by minors at Colleges and Schools, was referred to the Committee on Education.

So much as relates to the Jail was referred to the Committee on Public Buildings, and

So much as relates to frivolous prosecutions,—to the delay incident to the recovery of debts, and as recommends an additional term of the Court for Charleston District, was referred to the Committee on the Judiciary.

Mr. DUNCAN presented the petition of Milly Ward, praying for a pension; which was referred to the Committee on Pensions.

Also the petition of J. P. Hillhouse, praying for the charter of a Turn-

pike Road, which was referred to the Committee on Roads, Bridges, and Ferries.

Mr. GADBERRY presented the petition of the Teachers' Association and Citizens of Union District, praying an alteration in the Free School system, which was referred to the Special Committee charged with that subject.

Also the petition of William Langston, praying leave to hawk and peddle without any charge for a license; which was referred to the Committee on Roads, Bridges, and Ferries, and

Also the Return of the Commissioners of Free Schools of Union District for the year 1852, which was referred to the Committee on Education.

Mr. GADBERRY submitted the Presentment of the Grand Juries of Union District for Spring and Fall Terms, 1852.

So much as recommends a poll tax to be levied on all free white men, and

So much as recommends a tax to be levied, to aid in the construction of Rail Roads were referred to the Committee of Ways and Means.

So much as recommends a change of the law respecting the appointment of Guardians for free negroes, and so much as presents the practice of negroes conducting religious worship, at other places than on their masters' plantations, were referred to the Committee on the Colored Population; And so much as recommends the establishment of a Penitentiary, was referred to the Committee on the Judiciary.

Mr. HOPE presented the return of the Commissioners of Free Schools of Lexington District for the year 1852, and

Mr. CURETON presented the return of the Commissioners of Free Schools for Lancaster District, for the same year; which were severally referred to the Committee on Education.

Mr. TORRE presented further returns of the Managers of Elections for St. Bartholemew's; which were referred to the Committee on Privileges and Elections.

### GOVERNOR'S MESSAGE NO. 1.

Message No. 1, from His Excellency the Governor was then received and read by Col. Beaufort T. Watts, his private Secretary.

EXECUTIVE DEPARTMENT, }  
Columbia, November 23, 1852. }

*Gentlemen of the Senate  
and House of Representatives:*

Another year has rolled around, and brought the day when, as Representatives of the People, you have assembled together to deliberate upon

the affairs of the Commonwealth. And before I proceed to treat of the subjects which, for the good of our State, I may deem proper to bring to your attention, permit me earnestly to request that you will join me in rendering heartfelt thanks and praises to Almighty God, for the many and undeserved mercies bestowed upon us as a People during the past year. Although some portion of our State has trembled beneath the scourge of the "Pestilence which walketh in darkness and wasteth by noonday," yet we have cause for thankfulness that we have been permitted to enjoy, in other portions, more than a usual degree of health; and although we have been called upon to mourn the devastation and ruin which marked the track of the late disastrous and unprecedented flood, yet wherever its desolating effects were not felt, a rich and abundant harvest will reward the labor of the husbandman.

Terrible as has been the blow to the prosperity of our State, by the destruction of crops and bridges on our water-courses, and as deeply as we sympathize with those of our fellow-citizens who have suffered, yet we are bound to bow submissively to the afflicting rod of our Heavenly Father, and render to him the homage of grateful hearts for whatever mercies He has seen fit, in His wisdom and goodness, to vouchsafe to us, his dependant creatures.

It gives me pleasure to inform you that the same flourishing condition of our different Institutions of Learning, noticed in my last Annual Message, still continues. The South Carolina College, under the judicious and energetic management of its able President, is still progressing in its onward course of usefulness. To the already able and efficient corps of Professors, has been added during the past year, the services of Dr. Reynolds, whose high character, devoted piety, and elegant erudition, amply qualify him for the exalted station to which he has been called, and which he has thus far filled with honor to himself, and usefulness to the Institution.

The Military Academies still give evidence of increasing usefulness, and bid fair to stand as enduring monuments of the wisdom and munificence of the State, in establishing so enlightened a plan of eleemosynary education. The studies at the Citadel were suspended during a part of the past summer and fall, in consequence of the prevalence of yellow fever; but in future steps will be taken to prevent the disbanding of the corps, by encamping in some healthy region, in case this epidemic should again visit the city. The addition to the Arsenal, ordered by the last Legislature, is completed, and, with the former building, will be of sufficient capacity to accommodate all the Fourth Class, (say from ninety to one hundred.)

The last Legislature authorized the Trustees of the South Carolina College to build a Chapel, provided they did not call upon it for more than \$10,000. This building, so much needed, has been contracted for by the Trustees at \$22,000, and will be of sufficient size to accommodate 1,600 persons. The Trustees have paid \$4,000, (the first instalment,) out of the Tuition Fund, and have contracted to pay \$10,000 after the adjournment of the Legislature, and the balance when the building is completed. You will perceive from this statement that the Legislature will be only called upon for the sum which it authorized the Trustees to use. As no appropriation was made for this purpose, and as the Trustees, acting under the authority given them by the Legislature, have contracted for the pay-

ment of that sum after your adjournment, I recommend that at the present Session you make an appropriation to meet this call.

Before I leave the subject of these your cherished Institutions of learning—the one which has given to your history some of its brightest names, and the other, which, although but in its infancy, begins to show its practical utility by giving to the State the services of well-educated gentlemen, who, but for its munificence, might have grovelled forever in obscurity—permit me earnestly to invoke for them a continuance of your care and liberality.

I have endeavored, during the past summer, to inform myself thoroughly upon the subject of our Free School System; but from the want of interest generally manifested, I have been able to collect but little information. There seems to be a general belief that it works badly, except in the large cities. Conducted as they are in the country, I do not hesitate to pronounce it an almost useless expenditure of the public fund; yet I am far from being willing to recommend a discontinuance of the appropriation. The object of extending the blessings of education to the poor is too just and noble a one to be abandoned. In some of the older States, more densely populated than our own, beneficial results have been seen from it. I am sure the system could be so altered and improved as to work well with us. But to do this it would require a thorough knowledge of the subject; and it appears to me that the only way in which you could obtain that knowledge, would be to authorize the Governor to appoint a suitable and competent person to travel over the State for a year, and notice the manner of its operations, point out its defects, and suggest improvements. To do this, it must be made the specific duty of some one to collect this information; pay him for it, and require a strict performance of it at his hands. I feel more certain of the propriety of this recommendation, inasmuch as I am sustained in it by high authority. One of my predecessors called upon all the Commissioners of Free Schools to make reports of the condition of them in their respective Districts, and to suggest such alterations and improvements as they deemed necessary. These reports were placed in the hands of Dr. Thornwell and Bishop Elliott, who, after a careful examination of them, recommended the plan which I have done.

The Bank of the State, according to a Report made to me by its President, is in a highly prosperous condition. The capital is \$100,000 more than last year.

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| The capital in use may be set down at..... | \$3,450,000 |
| Deduct Fire Loan Bonds, " .....            | 298,500     |

3,152,500

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|---|---------|
| The Profits are.....                    | 309,405 |
| Deduct Interest on Fire Loan Bonds..... | 29,680  |

Leaves..... \$279,725

which is about 9 per cent. on its capital.

The Charter of this Bank expires in 1856. The short time it has to run renders it proper that you should consider the question of its re-charter at this Session. I think there are many reasons why it should be re-chartered. This Institution has proved itself to be highly useful and safe as a

fiscal agent of the State, and has aided materially in sustaining our people during the severe monetary crisis through which we have passed. As all human institutions are imperfect, no doubt but some instances of mismanagement have occurred in the conduct of its affairs. I believe that the only mismanagement that has been complained of is an over indulgence of some of its debtors. I have not been able to learn, however, that the Bank has sustained any losses from this cause. In some instances a long indulgence has secured the final payment of the debt, and at the same time enabled the creditor to secure a competence to his family, when the sudden calling in of the debts would have resulted in heavy losses to the Bank, and brought ruin and bankruptcy upon the debtor.

It is much more creditable to the management of this Institution that it should have erred in this particular, than that it should have proved a relentless creditor, by forcing sales of property at a ruinous sacrifice. If any real abuses do exist, they ought, most certainly, to be reformed. The existence of them in a system is no proof that they are incident to it, or that the system itself is a bad one.

The Charters of many of the Private Banks are about to expire; and in all probability application will be made to you for a renewal of them. Whatever may be thought of the policy of the Banking System, were the question of its introduction amongst us for the first time made, one thing is certain, it has so completely interwoven itself into all our habits of business, that to abandon it now would greatly embarrass the commercial interest, and probably bring ruin on the country. It perhaps would be wise to re-charter them all; yet some check ought to be placed upon them. I know of no other better than a strong Bank of the State.

Another argument in favor of its re-charter is the amount of taxes it saves to our citizens. During the past year, as I have already stated, its profits have amounted to \$279,725, which, of course, has relieved our people of that amount of taxation. But, above all other reasons why you should renew its Charter, the fact that the honor of the State is pledged to it should have greater influence with you than anything else. When the Fire Loan Bonds were negotiated in England by Ex-Governor McDuffie, the profits of the Bank were pledged as a security for their payment.\* Thus it would appear that a refusal to re-charter this Bank, at least until these Bonds are liquidated, would involve a violation of the pledges, affect the credit, and tarnish the honor of the State, which every Carolinian should regard as sacred as his own.

Without making a positive recommendation on the subject, I suggest to you the propriety of considering at this time whether it would not be wise under existing circumstances, to increase the capital of the Bank of the State. The great increase of all kinds of business, caused by our Railroads, calls for additional Banking Capital. Some of the large manufacturing establishments which have recently sprung up amongst us, have been greatly embarrassed during the past summer for the want of Bank accommodation. In fact, the complaint is very general on this subject. No doubt this state of things will produce applications for charters for more Banks. Now, as the Banking system has proved so highly profitable, would it not be wise to appropriate a large portion of it to the State, and thus in a measure free our people from taxation?

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\* See Mr. McDuffie's letter to Col. Elmore, *Bank Compilation*, p. 661.

But a still stronger reason for an increase, is to give it the power of acting as a check upon the private Banks. They are certainly much to be dreaded, if left entirely uncontrolled. When the condition of the country is prosperous, the temptation to expand their currency, and thus increase their profits, is almost irresistible. Such expansions cause all kinds of property to assume a fictitious value, and the whole country runs riot in the wildest speculations. Scenes of great distress always follow such periods as these, and is generally hastened and rendered still more terrible by the sudden calling in of the debts, and the contraction of the currency. In fact the value of property is almost entirely at the mercy of those who control the currency of the country. An expansion always runs it far beyond its value, and a contraction far below. Even the price of our great staple can be effected by the Banks' refusing to lend money freely, and thus seriously injure the planter.

There should be some check upon this immense, this fearful power.

I know that great fears are entertained as to the political power which a strong Bank of the State would wield—but these are rather imaginary than real, if you will reflect that it will be entirely under the control of the Legislature. Its officers are elected annually, and of course could be removed if found exerting any influence at variance with the true interests of the people. All the arguments which go to establish our fears that a corrupting influence might be exercised upon the politics of the country, would equally apply to private Banks. If there is any real danger of such influences from moneyed monopolies, it is far better that they should be under the control of the State, than that they should control the State. The Bank of the State is directly responsible to the Legislature, while the private Banks are perfectly independent of it, from the time they receive their charters, until they expire.

If you, in your wisdom, should deem that it is inexpedient to increase the capital of the Bank of the State, so as to give it the controlling influence, prudence requires that you should grant no charter to any private Bank with a capital of sufficient size to give such influence to it. No Bank should be chartered with a capital beyond a million of dollars.

The Lunatic Asylum, that charitable Institution so creditable to the humanity of the State, demands your special care and attention. Justice requires that I should again report to you not only the admirable order of its arrangement, but the devoted attention of its officers to the delicate and laborious duties they are called upon to perform.

During the past year forty-four (44) new patients have been received, thirty of whom are pay patients, and twenty-eight of those heretofore under treatment have been dismissed, either entirely cured or greatly benefited. The buildings are now not only full, but crowded. I was particularly struck with the want of room in the enclosed grounds. They are altogether too much confined either for the comfort of the patients, or the degree of exercise which might conduce to their final cure. The improvements of the age have shown that the original building was improperly constructed; but the additions which are hereafter made can be done in accordance with those improvements which will greatly remedy the defect.

If the Legislature will grant a further appropriation, it is proposed to enclose, with a wall, four acres of the lands belonging to the Asylum on

the east side of it, and erect suitable buildings to accommodate the female patients. For this purpose, the Regents, Physician and Superintendent ask an appropriation of thirty thousand dollars. This will enable them better to provide for the reception of pay patients, which will greatly relieve the State of the burthen of the Institution, perhaps to a sufficient extent even to reimburse it for the amount of the appropriation; as for the want of such accommodations many, who are able and willing to pay highest, are carried to other Institutions. All must feel it to be the duty of a State to provide for that unfortunate class of our fellow creatures who have been deprived of reason. Yet none can feel that duty with a degree of intensity which their helpless and deplorable situation demands, but those who have been brought in contact with them. I am sure, if you all could be eye witnesses to their sufferings, you would feel yourselves called upon by every consideration of humanity and Christianity, to place within their reach all the means that science has discovered for their cure, and to make your Institution not merely a prison house, but really an Asylum. Those who have watched this Institution with a paternal care, and have no interest apart from its good, who have carefully considered its wants, ask this appropriation at your hands. I trust you will not refuse it.

A memorial from the Directors of the South Carolina Institute is herewith transmitted, to which I invite your attention. This Institute, established for the encouragement of all the industrial pursuits of the country, was incorporated by an Act of the Legislature in 1850. One fair was held previous to its incorporation, and two since that time, which have given a most gratifying evidence of its success in promoting the great object for which it was established. When we reflect how far behind our State has been in the great race of the improvement of the mechanic arts, the exhibition of mechanical skill and ingenuity, which the *fairs* of this Institute have developed, must be a source of pride and satisfaction to every one who has the real interests of his country at heart. They have clearly shown that there was no want of talent or energy on the part of our mechanics, but that it only required some stimulant of this kind to spring it into life. These exhibitions are common to all those States which have been most remarkable for their improvements in the mechanic arts, and have received the particular patronage of their Legislatures.

This Institution has been established by the private enterprise of its founders, to effect a great public good; and while it reflects credit upon their public spirit, deserves your patronage. Since it was founded, the articles offered for exhibition have been so numerous, that no hall can be found of sufficient capacity to contain them. The necessity of building another has induced them to call upon you for aid to construct it. By giving this aid, you adopt the most enlightened plan of encouraging all the industrial pursuits of the country; but more particularly the mechanic arts, which have heretofore been too much neglected. *Encourage your own mechanics*, by bringing the results of their talent and enterprise into notice, and it will be seen that our State will rival any other in useful improvements. *Neglect* them, and you will find that they will seek some more favored region, where their skill will be appreciated and rewarded.

The Attorney General, at my request, has drawn up a report on the subject of Prisons and Prison Discipline, to which he has added a report on the Criminal Law. As it contains much valuable information, and many



important suggestions, I herewith transmit, and invite your attention to it.

Without pretending to enter fully upon the subject, I will state a few reasons to show there ought to be a change in the management of Prisons, and also in the manner of executions.

There is no provision made for the separation of the different classes of prisoners. The youth who for the first time has been convicted of some small offence, and upon whom the punishment of imprisonment might have so salutary an effect as to bring about his reformation, if left alone to the workings of his own conscience, is confined with the hardened felon, and, of course subjected to his pernicious influence. The debtor, who is perhaps more unfortunate than criminal, is herded with the felon and murderer. Good sense, as well as justice and good taste, revolt at this state of things.

A change ought to be made in the manner of Executions. All *public* executions are demoralizing to the community, and fail to produce the effect upon it they were intended to produce. A morbid curiosity collects thousands together to witness them, and when the criminal is brought forth for execution, the natural sympathies of the crowd convert him into a hero or martyr. Thus, much more of pity than terror is inspired by the exhibition. Or where, by frequent recurrence, they become familiar, from some strange perversity of human nature, a vulgar taste is inspired for them, which is revolting to witness. It is a familiar fact, that during the Reign of Terror in France, when the streets of Paris were flowing with the blood of innocent victims, the populace actually clamored for more executions, when each individual was not sure but that his head would be the next to be brought to the guillotine. If it is intended to strike terror to the heart of the multitude, by witnessing executions, the very publicity of them defeats this end. Much more of terror would be inspired by the knowledge, that at the tolling of a bell, or some other signal, a human being, within the narrow compass of his cell, was launched into eternity, unsustained in his last dark moments by the sympathies of a surrounding multitude.

If the punishment of whipping is to be continued, that, too, were better done in private. I doubt exceedingly, however, the propriety of this mode of punishment under any circumstances. Reformation of the culprit (one of the important ends of punishment) is seldom or ever effected by it. If one spark of good, upon which a hope of reformation can be built, is left in his heart, it is entirely extinguished by the degradation of a public whipping. If he is already hardened in crime, and lost to all sense of shame, no other effect is produced upon him beyond the physical pain inflicted by the lash. I think that the general feeling of our people is decidedly opposed to this mode of punishment; so much so, that it is exceedingly difficult for the Executive to resist the earnest appeals and powerful influences brought to bear upon him, either to remit or change it.

But I will not trespass on your time by pursuing the subject further. I merely wish to draw your attention to it. This subject, together with the revival of our whole Criminal Code, requires a more careful examination than you would probably be able to give it during a short session of the Legislature. I therefore recommend that you appoint, or authorize the Governor to appoint, a Commission, consisting of the Attorney Gene-

ral and the Solicitors, or some other competent persons, to take the whole subject of our Criminal Law, Prisons and Prison Discipline, under consideration, and report to the next Legislature such changes as may be expedient or necessary. In this manner, all the facts and statistics necessary to form a correct judgment on the subject will be brought before you by those who are most familiar with them.

By a joint resolution of the last General Assembly, I was requested to communicate with the Governor of Georgia on the subject of the "obstructions to commerce and intercourse between the two States, and to take such other steps as would lead to a full exposition and understanding of the rights of all parties concerned, and to a frank and friendly settlement of the whole matter." On the 6th of May, I addressed a letter to his Excellency Governor Cobb, in accordance with the spirit of the said joint resolution, and requested the Attorney General to look into the matter, and report to me what were the legal rights of the parties concerned. I have received as yet no direct reply from Governor Cobb. My letter to him, together with the correspondence between the Attorney General and the Executive Secretary of Georgia—the statement of the Attorney General, and the result of his legal investigations of the case, embodied in the form of a Report, are all herewith transmitted.

I think it, however, proper to state, that the question of the boundaries between the two States has lost much of its interest at present, since an arrangement has been made by the President of the South Carolina Railroad Company with the city authorities of Augusta, by which a free passage across the Savannah river is secured to the Company.

I feel it my duty to call your attention to certain proceedings which have grown out of the enforcement of that law of our State, which requires the Sheriff of Charleston to seize and imprison colored seamen who are brought to that Port. You will remember that the British Consul addressed a communication to the Legislature in December, 1850, on the subject of a modification of this law. A Committee was appointed by the House and Senate to report upon it at the next Session of the Legislature. These Committees reported adverse to any modification. On the 24th of March, 1852, Manuel Pereira was imprisoned in accordance with the law alluded to. The vessel in which he sailed was driven into the port of Charleston in distress. This was looked upon as a favorable case upon which to make an issue, as so strong an element of sympathy was connected with it. Accordingly, a motion was made before Judge Withers for a Writ of "*Habeas Corpus*," which was refused by him. These proceedings were instituted by the British Consul, it is said, under instructions from his Government, to test the constitutionality of the Act. I think it here proper to state, that Pereira was at perfect liberty to depart at any moment that he could get a vessel to transport him beyond the limits of the State. In truth, in consideration of the fact that his coming into the State was involuntary, the Sheriff of Charleston, with his characteristic kindness, procured for him a place in a ship about to sail for Liverpool. Early in April, Pereira was actually released, and on his way to the ship, having himself signed the shipping articles, when, by interposition of the British Consul, he was again consigned to the custody of the Sheriff. A few days after this the British Consul insisted no longer on his detention, but voluntarily paid his passage to New York. This was

looked upon as an abandonment of that case. The statement of Mr. Yates, together with the letter of the British Consul, are herewith transmitted.

While these proceedings were pending, the Sheriff of Charleston had my instructions not to give up the prisoner, even if a writ of *Habeas Corpus* had been granted. I considered that the "Act of 1844," entitled "An Act more effectually to prevent negroes and other persons of color from entering into this State, and for other purposes," made it my duty to do so.

On the 19th of May, Reuben Roberts, a colored seaman, a native of Nassau, arrived in the steamer Clyde, from Baracoa. The Sheriff of Charleston, in conformity with the law of the State, which has been in force since 1823, arrested and lodged him in the district jail, where he was detained until the 26th of May, when, the Clyde being ready to sail, Roberts was put on board, and sailed the same day.

On the 9th of June, a Writ in Trespass, for Assault and False Imprisonment, from the Federal Court, was served upon Sheriff Yates, laying the damage at \$4,000.

The Act of 1844, I take it, was intended to prevent all interference on the part of any power on the face of the earth with the execution of this police regulation, which is so essential to the peace and safety of our community. Had the Legislature which passed it ever dreamed that the Sheriff was to be subjected to the annoyance of being dragged before the Federal Court for doing his duty under a law of the State, I am sure it would have provided for his protection. As no such provision has been made for so unexpected a contingency, I recommend that you so amend this Act of 1844, that it may meet any case that may arise.

It is certainly wrong to tolerate this interference with the laws enacted for the protection of our institution. In the general distribution of power between the Federal and State Governments, the right to make their own police regulations was clearly reserved to the States. In fact, it is nothing more nor less than the *right of self-preservation*—a right which is above all Constitutions, and above all laws, and one which never was, nor never will be, abandoned by a people who are worthy to be free. It is a right which has never yet been attempted to be denied to any people except to us.

The complaint against this law is very strange, and the attempt to bring us in conflict with the General Government on account of it, is still more remarkable; when, so far from its being at variance with the laws of the United States, it is only requiring the State authorities to enforce an act of Congress, approved February 28th, 1803, entitled, an Act to prevent the importation of certain persons into certain States, where, by the laws thereof, their importation is prohibited.\* By referring to this Act, you will see that the plaintiff in the action alluded to, was prohibited by it from entering into this State. I deem it unnecessary, however, to enter fully into the argument. If any doubt should be entertained by you, as to its constitutionality, I beg leave to refer to the able opinion of the Hon. J. McPherson Berrien, delivered at the time he was Attorney General of the United States, which I herewith send you.

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\* See 2d Story's Laws U. S., p. 886.

On the subject of the modification of this law, I am free to say, that when Her B. M.'s Government, through its Consul, made a respectful request to our Legislature to that effect, I was anxious that it should be made. It was with pleasure that I transmitted his first communication to the last Legislature. I would have made a recommendation of its modification a special point in my first Message, but that I thought it indelicate to do so, as the matter was already before the Legislature, and committees had been appointed to report upon it. Another reason for the neglect of this recommendation, was the then excited state of party politics, which might have precluded the possibility of a calm consideration of the subject. But for the proceedings instituted in the premises, I would even now recommend a modification of the law, so as to require captains to confine their colored seamen to their vessels, and to prevent their landing under heavy penalties. For while I think the State has a perfect right to pass whatever laws on this subject it may deem necessary for its safety, yet the spirit of the age requires, that while they should be so formed as to be adequate to our protection, they should be at the same time as little offensive as possible to other nations with whom we have friendly relations. But since an attempt has been made to defy our laws, and bring us in conflict with the Federal Government, on a subject upon which we are so justly sensitive, our own self-respect demands that we should not abate one jot or tittle of that law, which was enacted to protect us from the influence of ignorant incendiaries.

It gives me pleasure to inform you that the Railroads of our State are rapidly progressing. The Columbia & Charlotte Railroad, and the King's Mountain Road, are completed. Although heavy damages were sustained by the Greenville Road from the late freshet, they will soon be repaired, and, under the energetic management of its President and Directors, will ere long be completed. The Manchester Road is also progressing rapidly. Already do we see the potent effects of these Roads in developing the resources of the State, and springing into life the energies of the people. The prosperity which follows in their track, is no longer problematical. Living witnesses of it are all around us. Yet this grand system, which is to bring wealth and prosperity to us, and energize into action resources which were heretofore dormant, has just begun. If we would realize their full effects, they must be extended until the rich commerce of the mighty valleys of the West is poured into Charleston. This can easily be effected, by pursuing a liberal and enlightened policy towards them—a policy worthy of the age in which we live. The golden opportunity to command this trade is within our reach. Charters have been granted by the several States through which it will pass for the Blue Ridge Road, which is to cross the Rabun Gap, and extend through Clayton and Franklin to Calhoun, where it will intersect the Knoxville and Dalton Road. Through Knoxville a communication will be opened to Cincinnati, (as a Charter has been granted by Tennessee for a Road with the Kentucky line, and a Company is formed in Kentucky to carry it on to Cincinnati.) A road is now in progress to connect Calhoun with Chattanooga. From Chattanooga to Memphis, a road has already been built, and the Chattanooga road connects it with Nashville. A road is also about to be made between Nashville and Cairo. Thus you will perceive, that if the Blue Ridge Road is built, commencing at Anderson Court

House and extending to Calhoun, Charleston will be connected by a system of Roads, not only with Cincinnati, but with Memphis and Cairo, two important points on the Mississippi river, and at a distance from each other, equal to the entire breadth of Tennessee, and nearly one-third of Kentucky. All the immense trade which the Mississippi and its tributaries bring to this important point, together with that of the fertile regions through which these roads and their numerous feeders pass, must find its outlet through Charleston. At a single glance, you must perceive the magnificent prospect it presents. It would be a suicidal policy in our State, not to secure this gigantic commerce, now that it is within its reach. But to secure it, the Legislature must subscribe liberally. So great are the advantages it presents, so great the prosperity which it will bring, the State could well afford alone to build this only link which is now wanting in this mighty chain. But there is no call for this. Charleston, I am informed, will subscribe half a million, and even more, if necessary. Enough has already been subscribed in North Carolina to secure the Charter of that State, and Tennessee, by her general system of liberality to her roads, gives \$8,000 per mile. As deeply interested as all these States are in this grand scheme, none are so deeply so as South Carolina. I therefore recommend that you subscribe a million of dollars to this road, or even more, if it be necessary to complete it. Even if the stock never paid a dollar of interest, it would be a judicious expenditure on the part of the Legislature. But from the fact that it must inevitably be the great thoroughfare over which the commerce of five or six of largest States in this Union will pass, together with the immense amount of travel, which, from its position it will command, there cannot be a doubt but that the stock will pay a heavy interest, and thus make the investment a profitable one for the State. And if we add to this consideration the fact that it will increase greatly the business, and consequently the profits of the roads already built, in which the State has a large amount of stock, you will see a still further inducement for fostering the enterprise.

I trust that no sectional feeling will be brought to bear on this question. It is a great State matter. It is true that the interest of Charleston will be more promoted than any other section of our State, but the wealth which will be poured into her lap, will be radiated throughout its entire extent.

There is also, I believe, a project on foot to extend the Charlotte Road so as to command a portion of this trade. These two projects cannot interfere with each other, and therefore ought not to be considered antagonistic; but rather assisting each other in carrying out a grand plan of improvement. When application is made for assistance to extend this road, the same liberality ought to be extended to it. The State cannot spend too much money in the construction of Railroads, providing they are *judiciously located*, and *economically* built; for every dollar will be returned four-fold to its citizens by the advantages they afford. Nor will it be necessary to tax the people for this purpose. Borrow the money, and the roads themselves will soon pay the interest, and gradually liquidate the debt.

By a Joint Resolution of the last General Assembly, a Committee was appointed to inquire into the feasibility of deepening, shortening, or in any other manner improving, the Channel of the Bar and other approaches of the Charleston Harbor.

When the Commission held its first meeting, we found that the Chamber of Commerce already had the matter under consideration. I feel it due to that enlightened and public-spirited association, publicly to acknowledge the kindness and courtesy extended to the Commission, in placing at our disposal the information which it had already collected.

The Chamber of Commerce had memorialized the Congress of the United States, calling its attention to this work as one of national utility and importance, and asking an appropriation for the purpose of carrying it out. The Congress of the United States appropriated \$50,000. The Commission took no part in this memorial, but employed a portion of the fund allowed by the State to defray the expenses of a preliminary survey. The result of this survey has afforded the most gratifying assurance of the practicability of opening the Bar. I must also acknowledge the courtesy and kindness of the officers of the Coast Survey, who placed at our disposal the maps of the Harbor, and co-operated cordially with the Commission in carrying out the survey. The vast importance of this work to the future prosperity of Charleston, renders it an object of peculiar interest to the State. It is scarcely possible to estimate what amount of expenditure its vast importance would justify. There is, however, no need at present for the State to make any further appropriation for this purpose, as the Federal Government has taken it in hand. It will, perhaps, however, be well to continue the present Commission until the work is actually commenced by the Government of the United States.

The Report of Prof. Bache, the Report of the Commission, together with an account of the expenditure of a portion of the fund appropriated by the Legislature, is herewith transmitted.

In pursuance of an Act of the last Legislature, the State Convention met at the appointed time. The proceedings of that body, together with the expenses incurred, are herewith transmitted to you in accordance with its request.

Perhaps there never was a body assembled under circumstances of so much embarrassment, and which called for an exercise of such prudence, sagacity, and devoted patriotism on the part of its members. The same causes of complaint against the Federal Government which called it into life, still existed in full force. No evidence had been given that its onward progress towards a consolidated despotism was stayed, or that any barrier had been erected against that tide of fanaticism, which, with fearful rapidity, was still rolling on, threatening the overthrow of the institutions of the South. No security was afforded us that we should not forever remain in a state of vassalage to the Federal Government, paying far beyond our just proportion of its expenses, and receiving far less than our share of the benefit of its expenditure. Nor do I believe that any change had taken place in the feelings and opinions of the people of our State. An almost universal feeling of indignation at our wrongs, and a burning desire to redress them, prevailed. But discord and party strife, which have blasted the success of many a glorious cause, had raised its head among us, and paralyzed our strength. One party believed that the time had come when every consideration of policy and duty required that the State should act, even though it should stand alone. Another party believed the separate action of the State would be ruinous, and that the co-operation of the other Southern States, whose interests and destiny were the same as

ours, could and would be obtained. No doubt but that both parties were honest in their convictions, that the policy recommended by each, would redound to the welfare of our State. The discussion of these conflicting opinions produced the bitterest party feeling. Amid the convulsive throes of this fierce strife, the question of our wrongs was almost forgotten. Thus did our State present the mournful spectacle of a people, whom common wrongs and common dangers should have united in closest bonds, completely prostrated and paralyzed, not by the force and power of the enemy, but by their own internal strifes. It was too plainly seen that any action, under existing circumstances, could end in nothing else but self-destruction. Many a bold and gallant heart, that had never quailed before the power of the Federal Government, grew faint at the prospect, and shrunk from the thought of civil strife.

The people had, by a large majority, passed their verdict against separate secession, in the election which had been recently held for members to a Southern Congress. Under these circumstances, the Convention met. The only course which wisdom and patriotism could suggest was pursued, namely, to heal the wounds which had lately been inflicted, and re-unite the State. I can but congratulate you on the happy result. The members of that Convention, actuated by a spirit worthy of the palmy days of our Commonwealth, determined to bury all bitter feelings which had been generated by the late contest, and act with an eye single to the good of the State, under the circumstances which then existed. Nor do I think, in effecting this great object, that any sacrifice of principle was involved. The principles which have ever been held dear amongst us, were not only re-affirmed, but set forth in the solemn form of an Ordinance.

But sincerely as I feel the gratification of announcing to you that the State has been united, I must call upon you to remember that our safety has *not* yet been secured. The storm which, one day or other, is destined to burst upon us, is still brewing. The great feature of the Compromise, which induced our sister Southern States to accept it, has been openly violated. In one of the Northern States, the Fugitive Slave Law has been nullified; and in all the others it is but a dead letter. A brutal murder of a slaveholder has been the result of an attempt to reclaim a slave under this vaunted law. The spirit of mischief is working with fearful energy. Agitation still goes on with ceaseless activity. Every element which can be made to operate on public opinion is put in action against our institutions. Even that powerful weapon, the literature of the country, is employed to direct its polished but poisoned shafts against them. It is true that nothing has been done by Congress, since your last session, against which we can complain. Judging, however, from the elements which are at work, and from the history of the past, we cannot hope that this cessation from hostile acts against our institutions will be of long duration. Amid all our prosperity, and the still greater prosperity which we would enjoy if left alone, the heart sickens at the contemplation of that fierce fanaticism which is at work, and which hangs like a pall upon our future. However strong may be my convictions as to the propriety of an attempt to stay the coming storm by the separate action of the State; and however deeply I may deplore the decision to which our people have come upon this subject, God forbid that I should fan into a flame the expiring embers of party strife, by now recommending it to you. Our destiny, for

weal or for woe, is connected with the whole South. Further aggression (which will surely come) will convince our sister Southern States that the institution upon which not only the prosperity of the South, but Republicanism itself depends, is no longer safe in the Union. Then we may hope that they will rise in the majesty of their strength and spirit, and, in conjunction with us, either force our rights to be respected in the Union, or take our place as a Southern Confederacy amongst the nations of the earth. In the meantime, let us unite, heart and hand, in carrying out those great schemes of internal improvement, by which the wealth and resources of our State will be developed, and thus give it all the power and strength of which it is capable.

JOHN H. MEANS.

On motion of Mr. READ, the Message was made the special order of the day for one o'clock, P. M. to-morrow, and two thousand copies of the Message were ordered to be printed.

Mr. TILLINGHAST submitted the presentment of the Grand Jury of Beaufort District for Fall Term, 1852.

So much as relates to the repair of Bridges, to the Saltketcher Bridge, and to the Union ferry road, were referred to the Committee on Roads, Bridges, and Ferries.

So much as relates to the Free School system was referred to the Committee on Education.

So much as relates to the execution of persons of color was referred to the Committee on the Judiciary.

Mr. KERSHAW presented the Account of Dr. William L. Pickett for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. KERSHAW submitted the Presentment of the Grand Jury of Kershaw District for Spring Term, 1852.

So much as relates to the Free School system was referred to the Committee on Education; and so much as relates to the carrying of concealed deadly weapons was referred to the Committee on the Judiciary.

Mr. CHRISTIE presented the Petition of Pleasant Grove Baptist Church, Edgefield District, for an Act of Incorporation; which was referred to the Committee on Incorporations.

Also the Petition of George W. Dorn for the balance of a pension due James Head, deceased; which was referred to the Committee on Pensions.

Also the Return of the Commissioners of Free Schools for Edgefield District, for 1852; which was referred to the Committee on Education.

Mr. HOWELL submitted the Presentment of the Grand Jury of Richland District for Fall Term, 1852.



So much as presents the present Road Law was referred to the Committee on Roads, Bridges and Ferries ; and

So much as presents the Free School system was referred to the Committee on Education.

Mr. FLAGG presented a Petition to re-charter the Episcopal Church of All Saints Parish ;

Also a Petition to renew the Charter of the All Saints Academy ; which were severally referred to the Committee on Incorporations.

Also the Return of the Commissioners of Free Schools of All Saints for the year 1852 ; which was referred to the Committee on Education.

Mr. CROSSON presented the Petition of the members of Head Spring Church, Newberry District, praying for incorporation ; which was referred to the Committee on Incorporations ; and

Also the Account of Dr. T. W. Thompson for a *post mortem* examination ; which was referred to the Committee on Claims.

Mr. JOSIAH B. PERRY presented the Petition of Emanuel Witsell, praying for the re-charter of Jacksonboro' Ferry ;

Also the Petition of Moses West, praying the re-charter of Rumph's Bridge, over Edisto river, formerly Giveham's ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also the Petition of Dr. Josiah B. Fishburne, praying payment for a *post mortem* examination ; which was referred to the Committee on Claims ; and

Also the Return of the Commissioners of Free Schools for St. Bartholomews for the year 1852 ; which was referred to the Committee on Education.

Mr. CAUTHEN presented the Petition of citizens of Lancaster District, praying the incorporation of Flat Creek Church and of Providence Baptist Church ; which were severally referred to Committee on Incorporations.

Mr. DUNCAN presented the Petition of Massena Taylor, former Sheriff of Greenville District ; and

Mr. BLUM presented the account of the Charleston Courier for printing ; which were severally referred to the Committee on Claims.

Mr. BURT presented the petition of citizens of Pickens, praying the discontinuance of a Road :

Also, the petition of citizens of the same District, praying that the charter of a turnpike road, from Dr. Earle's store to Table Rock, may not be renewed :

Also, the petitions of citizens of Anderson, praying the repeal of an Act to lay out a new Road from Anderson to Pendleton; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also, the petitions of citizens of Pendleton District, praying a division of said District; which were severally referred to the Committee on the Judiciary :

Also, the petition of F. N. Garvin, praying compensation for damages done to his lands by the passage of a public road through it :

Also, the petition of Dr. L. B. Johnson, praying compensation for medical services rendered to a prisoner in Pickens jail; which were severally referred to the Committee on Claims.

Mr. BURT submitted the Presentment of the Grand Jury of Anderson District for Spring Term, 1852, recommending an extension of the Greenville and Columbia Rail Road to the West by the Rabun Gap; which was referred to the Committee on Internal Improvements.

Mr. BOYLSTON presented the petition of Mrs. E. F. Ellet, praying that her "Domestic History of the Revolution" may be introduced into the Free Schools of this State; which was referred to the Committee on Education.

Mr. WESCOAT presented the return of Commissioners of Free Schools of St. John's, Colleton, for the year 1852, which was referred to the Committee on Education.

Mr. SLOAN presented the petition of citizens of Pendleton District, praying a division into two election Districts, which was referred to the Committee on the Judiciary;

Also, the petition of Nancy Keith, praying the renewal of the charter of a turnpike road to Table Rock :

Also, the petition of citizens of Pendleton, praying the repeal of an Act to lay out a new road from Pickensville to Pickens Court House :

Also, the petition of citizens of Pickens, praying that the road from Pendleton to Pickens Court House, passing near Benson's Mills, be not discontinued; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MURRAY presented the return of the Commissioners of Free Schools for St. James, Goose Creek, for the year 1852; which was referred to the Committee on Education.

Mr. SULLIVAN presented the account of R. M. Stokes for public printing :

Also, the account of J. J. Atwood, Sheriff of Laurens, for serving

writes for a special election of Senator, and also for blankets and clothing furnished prisoners in jail :

Also, the account of Dr. Irby Dunklin for medical services rendered a slave in jail, under sentence of death ; which were severally referred to the Committee on Claims.

Mr. BYRD presented the returns of the Commissioners of Free Schools for Darlington District, for the year 1852 ; and

Mr. WITHERSPOON presented the return of Commissioners of Free Schools of Claremont, for the same year ; which were severally referred to the Committee on Education.

Pursuant to notice, and by leave of the House,

Mr. POPPENHEIM introduced a Bill, shewing the manner in which Electors for President and Vice President of the United States shall hereafter be elected in South Carolina ; which was read the first time, and was made the special order of the day for Monday next, at 1 o'clock, P. M. in Committee of the whole House.

Mr. KEITT gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the 10th Section of the 1st Article of the Constitution, so as to change the time of the meeting of the General Assembly every fourth year.

Mr. KEITT submitted the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That a special joint Committee be appointed, consisting of one from each Judicial District, on the part of this House, to re-district the State in conformity with the last census, and the Act of Congress pertaining thereto ; and that a message be sent to the Senate requesting the appointment of a similar Committee.

Mr. TUCKER gave notice that he will ask leave to-morrow to introduce the following Bills :

A Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road ; and

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates in certain cases.

Pursuant to notice, and by leave of the House,

Mr. HUTSON introduced a Bill to declare and amend the law in relation to words of limitation in Deeds and Wills : which was read the first time, and referred to the Committee on the Judiciary.

Mr. MIDDLETON gave notice that he will, on Thursday next, ask

leave to introduce a Bill to define the principles on which joint stock banks shall be incorporated.

Mr. ELLIOTT gave notice that he will ask leave to-morrow to introduce a Bill to abolish the laws against usury.

Mr. McKNIGHT gave notice that he will, to-morrow, ask leave to introduce a Bill to provide for the revision and codification of the Statute Law of this State.

Pursuant to notice and by leave of the House, Mr. LEITNER introduced a Bill to restore the law authorizing the appointment of sutlers at muster grounds, upon certain conditions ; which was read the first time and referred to the Committee on the Military ;

Also a Bill providing compensation for Managers of Elections ; which was read the first time and referred to the Committee on Privileges and Elections ;

Also a Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce ; which was read the first time and referred to the Committee on the Judiciary ; and

Also a Bill to alter and amend the law in relation to the education of the deaf and dumb of this State ; which was read the first time and referred to the Committee on Education.

Mr. BLAKENEY gave notice that he would ask leave to-morrow to introduce a Bill to repeal "an Act entitled an Act to increase the amount of property exempt from levy and sale."

On motion of Mr. BRADLEY,

*Ordered*, That when this House adjourns, it shall be adjourned to meet at 12 o'clock M. to-morrow.

Mr. TORRE gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the "Fireman's Insurance Company of Charleston."

Pursuant to notice and by leave of the House, Mr. HUNT introduced the following Bills ; which were severally read the first time and referred to the Committee on the Judiciary :

A Bill to punish criminally public officers converting to their own use monies entrusted to their keeping ;

A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary ;

A Bill to regulate the future issuing of grants of land ; and

A Bill to secure planters and factors from frauds under pretence of cash sales of produce.

On motion of Mr. GREEN, the House was adjourned at 45 minutes past 2 o'clock, P. M.

## WEDNESDAY, NOVEMBER 24, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats :

*From Charleston.*—Messrs. Nelson Mitchell, S. Cruikshank.

*From St John's Berkley* —Mr. James Sinkler.

The SPEAKER announced that Mr. Henry Gourdin, member from Charleston, is added to the Committee of Ways and Means :

That Mr. D. H. Ellis, of Prince Williams, is added to the Committee on the Military : and,

That Mr. J. N. Shedd, of Fairfield District, is added to the Committee on the Military.

On motion of Mr. DANTZLER, the Reporter of the Carolinian was allowed a seat on the floor of this hall.

On motion of Mr. WINSMITH, the Reporter of the Carolina Spartan was allowed a seat on the floor of this hall.

On motion of Mr. SHEDD, the Reporter of the Fairfield Register was allowed a seat on the floor of this hall.

On motion of Mr. BURT, the Reporter of the Charleston Courier was allowed a seat on the floor of this hall.

Mr. SEABROOK presented the return of the Commissioners of Free Schools for St. Andrews ; and

Mr. CLAWSON, the return of the Commissioners of Free Schools for York ; which were severally referred to the Committee on Education.

Mr. HAMMOND presented the memorial of sundry citizens of South Carolina, praying for a charter to construct a Rail Road from Hamburg up the valley of the Savannah river, to connect with the Rabun Gap, and for the construction of a branch of said Road to Greenwood, in Abbeville District ; which was referred to the Committee on Incorporations.

Mr. WAGNER presented the petition of the inhabitants of Moultrieville, praying to have Commissioners appointed to remove obstructions from the streets and to define their lines.

Mr. SEIGLING presented the petition of house owners and residents of Moultrieville against an extension of corporate powers, and against appointment of Commissioners ; which were severally referred to the Committee on Incorporations.

Mr. SEIGLING also presented the memorial of City Council of Charleston, praying an enlargement of the appropriation for the transient poor; and,

Also, an abstract of expenditures for the city and transient poor of Charleston for the year 1852; which were severally referred to the Committee of Ways and Means.

Mr. MAYBIN presented the petition of James Fuller, praying that his title to lots No. 29 and 30 in the town of Columbia, be confirmed to him; which was referred to the Committee on the Judiciary.

Mr. READ presented the account of Dr. W. C. Miller for *post mortem* examination, which was referred to the Committee on Claims.

Mr. READ submitted the presentment of the Grand Jury of Georgetown District:

So much as relates to negro trading in that District was referred to the Committee on Colored Population; and,

So much as relates to the use of decoys and of nets in the taking of ducks and of fish, was referred to the Committee on Grievances.

Mr. ERVIN presented the accounts of Drs. J. K. & T. A. Dargan, and of Dr. E. J. Flinn, for *post mortem* examinations; also the accounts of Norwood & De Lorme for public printing; which were referred to the Committee on Claims; and,

Also, the petition of sundry citizens of Darlington, praying for additional legislation to prevent the obstruction of the passage of fish up Lynch's creek; which was referred to the Committee on Internal Improvements.

Mr. ERVIN submitted the presentment of the Grand Jury of Darlington District for Spring Term, 1852, presenting the traffic between white persons and negroes, and approving of recommendation of Grand Jury for Charleston District, Spring Term, 1852; which was referred to the Committee on Colored Population.

Mr. VANCE presented the petition of the Greenwood Agricultural Society, praying the transfer of certain funds; which was referred to the Committee on Agriculture; and,

Also, the petition of sundry citizens of Abbeville District, praying the opening of a new road from Asbury Church to Greenwood depot; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MCGOWAN presented the return of Commissioners of Free Schools for Abbeville District for 1852; which was referred to the Committee on Education.

Mr. J. I. INGRAM presented the petition of the Eastern Board of Commissioners of Roads for Clarendon, praying for a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. BURNET presented the accounts of Charleston Mercury for public printing ; which was referred to the Committee on Claims.

On motion of Mr. BURNET, the reporter of the Charleston Mercury was allowed a seat on the floor of this Hall.

Mr. SULLIVAN presented the accounts of Doctors John H. Henry and N. Henry ; which were severally referred to the Committee on Claims.

Mr. SULLIVAN also presented the Report of the President and Directors of the Bank of the State of South Carolina ; which was referred to the Committee of Ways and Means, and ordered to be printed.

Mr. WILLIAMS presented the petition of sundry citizens of York District, praying for the repeal of the Act of the Legislature to increase the amount of property exempt from levy and sale ; which was referred to the Committee on the Judiciary.

Also the petition of sundry citizens of York District, praying the establishment of a new place of election ; which was referred to the Committee on Privileges and Elections.

Also the petition of the members of Trinity Lodge, No. 22, Independent Order of Odd Fellows, praying for an Act of Incorporation ; which was referred to the Committee on Incorporations ;

Also the petition of Charles McIlwain, praying payment of a claim against the State for a lost jury ticket ; which was referred to the Committee on Claims.

Mr. JOSIAH B. PERRY presented the petition of Dr. Josiah B. Fishburne, praying payment for his medical services ; also the petition of Sarah Branch, praying payment of a claim against the State ; which were referred to the Committee on Claims.

Also the memorial of sundry citizens of Walterborough, praying the appointment of Trustees for the Walterboro' Academy ; which was referred to the Committee on Education.

Also the petition of the General Board of Commissioners of Roads of St. Bartholomew's Parish, praying that the "Salt Ketcher Bridge" may be made a Toll Bridge ; which was referred to the Committee on Roads, Bridges and Ferries.

Also the memorial of sundry citizens of St. Bartholomew's Parish, praying the passage of an Act to prohibit the sale of spirituous liquors to

free persons of color ; which was referred to the Committee on the Colored Population.

Also the petition of the members of the "Bedons Baptist Church," praying for an Act of Incorporation ; and also the counter petition of Richard B. Bedon, praying that said Church may not be incorporated ; which were severally referred to the Committee on Incorporations ; and

Also the petition of John W. Burbridge, praying that the escheated property of Elizabeth Bowman may be vested in her illegitimate children. which was referred to the Committee on the Judiciary.

Mr. J. B. CAMPBELL presented the petition of T. Bennett, praying that the Commissioners of Public Buildings for Charleston District be directed to execute title deeds to two lots, on the Lines, purchased by him from the State in 1823 ; which was referred to the Committee on the Judiciary.

Also a petition to incorporate the Liberty Fire Engine Company of Charleston, praying incorporation ; which was referred to the Charleston Delegation.

Mr. TRADEWELL presented the account of William Blackledge, a witness in the contested election of Senator from Richland ; which was referred to the Committee on Claims.

Mr. GARLINGTON presented the petition of sundry citizens of Newberry District, praying the incorporation of a Bank in the Town of Newberry ; which was referred to the Committee on Ways and Means.

Mr. CROSSON presented the petition of George Benson, praying compensation for rebuilding a Bridge across Indian Creek ; which was referred to the Committee on Claims.

On motion of Mr. BROYLES, the Reporter of the Southern Rights Advocate was allowed a seat on the floor of this Hall.

Mr. CLARKE presented the petition of Nancy Bailey, praying for a pension ; which was referred to the Committee on Pensions.

Mr. SLOAN presented the accounts of Dr. J. N. Lawrence, praying compensation for examining a prisoner, and for *post mortem* examination ; which were severally referred to the Committee on Claims.

Also the petition of Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House ; which was referred to the Committee on Public Buildings.

Mr. SLOAN obtained leave to withdraw the petition of Matthew Abbott for a pension, presented in 1850.

Mr. SINKLER presented the return of Commissioners of Free Schools.



for St. John's Berkley for 1852; which was referred to the Committee on Education.

Mr. HOWELL presented the account of R. W. Gibbes, assignee of I. C. Morgan; which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of the Commissioners of Public Buildings for Richland District, praying authority to sell a part of the Jail Lot; which was referred to the Committee on Public Buildings.

Also the petition of the "Carolina Blues," praying an Act of Incorporation; which was referred to the Committee on the Military.

Mr. GADSDEN presented the return of the Commissioners of Free Schools for St. James' Santee, for the year 1852; which was referred to the Committee on Education.

Mr. DURANT presented the account of V. Little for advertising; which was referred to the Committee on Claims.

Mr. SPRINGS presented the petition of sundry citizens of York District, praying that the day of Election at the out boxes, may be changed from Monday to Tuesday; which was referred to the Committee on Privileges and Elections.

Mr. ANDERSON presented the return of Commissioners of Free Schools for Laurens District, for the year 1852, which was referred to the Committee on Education.

Mr. THORNWELL presented the accounts of J. J. Rowe, Jailor of Marlborough District, for blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. STEELE presented the return of Commissioners of Free Schools for Pickens District, with their memorial, and Mr. TILLINGHAST presented the return of Commissioners of Free Schools of St. Luke's, which were severally referred to the Committee on Education.

Mr. THOMSON presented the petition of M. McDonald, praying payment for issuing notices of election;

Also the petition of Charles H. Allen, praying payment for Public Printing; which were severally referred to the Committee on Claims.

Mr. WITHERSPOON presented the petition of the Town Council of Sumterville, and J. M. Pitts, praying to close a Road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MELTON presented the petition of Commissioners of Public Buildings of Chester District, praying an appropriation to aid in the purchase of a lot for a new Court House; which was referred to the Committee on Public Buildings.

On motion of Mr. J. B. PERRY, sundry affidavits relating to the St. Bartholomew's Election were *taken up*, and, with the return of the Managers of Election for St. Bartholomew's Parish, were referred to the Committee on Privileges and Elections.

Mr. ASHMORE, from the Committee on Claims, made reports

On the Account of Britton and Mickle, and

On the Account of Dr. P. M. Wallace; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of John Gibbs, Sheriff of Union District.

Mr. GADBERRY obtained leave to withdraw the petition of John Gibbs.

Mr. TRADEWELL submitted the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Committee on Vacant Offices be instructed to report, whether a seat in the Senate of the United States be now vacant.

On motion of Mr. TUCKER, the Reporter of the Laurensville Herald was allowed a seat on the floor of this Hall.

Mr. TORRE, from the special Committee on Printing, made a Report, recommending that the proposals of R. W Gibbs be accepted, and that he be appointed the Printer of this House; which was ordered to be considered immediately and agreed to.

### SPECIAL ORDER.

The House then proceeded to the consideration of Message No. 1 of his Excellency the Governor, which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. KEITT,

*Resolved*, That so much of the Message as relates to the South Carolina College and to the Free School system be referred to the Committee on Education :

That so much as relates to Federal Affairs and so much as relates to the State Convention be referred to the Committee on Federal Relations :

That so much as relates to the Bank of the State and Private Banks, and also so much as relates to a new Chapel for the South Carolina College, be referred to the Committee of Ways and Means :

That so much as relates to the Military Academies be referred to the Committee on the Military :

That so much as relates to the Lunatic Asylum be referred to the Committee on the Lunatic Asylum :

That so much as relates to the South Carolina Institute and to Rail Roads be referred to the Committee on Internal Improvements :

That so much as relates to Prisons and Prison Discipline, and the revision of the Criminal Code, and also so much as relates to the Augusta Bridge, and the Savannah boundary be referred to the Committee on the Judiciary :

That so much as relates to Colored Seamen and our Police laws pertaining thereto be referred to the Committee on Colored Population, and

That so much as relates to the Charleston Bar and harbor be referred to the Charleston Delegation.

Mr. MITCHELL presented the petition of sundry citizens of the City of Charleston praying a Charter for a new Bank in the said city,

Also the petition of the President and Directors of the Union Bank of South Carolina praying a re-charter; which were severally referred to the Committee of Ways and Means.

Also the petition of Frederick Borner and Helen his wife, praying the release to them of the right of the State in certain lands liable to escheat, which was referred to the Committee on the Judiciary,

Also the Memorial of the Commercial Insurance Company praying an amendment of their Charter; which was referred to the Committee on Incorporations, and

The Memorial of the City Council of Charleston praying the establishment of a Poll tax as a qualification for Voters at the City Election, instead of the present Registry law.

Mr. TRADEWELL submitted the following resolution.

*Resolved*, That the Committee on Education be instructed to inquire and report, if there be a Professor in the South Carolina College, a Consolidationist or Abolitionist; which was ordered for consideration tomorrow.

Pursuant to notice and by leave of the House, Mr. KEITT introduced a Bill to alter and amend the 10th section of the 1st article of the Constitution of South Carolina which was read the first time and made the special order of the day for Monday next at 1 o'clock P. M. in Committee of the whole House.

Mr. OWENS presented the petition of J. D. Allen, praying to be refunded a double tax, and a tax improperly imposed, which was referred to the Committee of Ways and Means.

Mr. TILLINGHAST gave notice that he will, to-morrow, ask leave to introduce a Bill to alter and amend the 13th Section of the 2nd article of the Constitution, so as to make it obligatory on the Governor to convene the General Assembly on the day designated by Congress, for the election of electors of President and Vice President of the United States.

Pursuant to notice, and by leave of the House, Mr. TUCKER introduced a Bill to alter and amend the law, in relation to the Jurisdiction of Magistrates in certain cases, which was read the first time, and referred to the Committee on Judiciary.

Also, a Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. ELLIOTT introduced a Bill to abolish the Laws against Usury; which was read the first time and referred to the Committee on the Judiciary.

Mr. BURT gave notice that he will ask leave to-morrow to introduce a Bill to divide Pendleton District, and to give to Anderson and Pickens each a Senator; and,

Also, a Bill to abolish the office of Major of Ordnance.

Mr. CAUTHEN gave notice that he would ask leave to-morrow to introduce a Bill to charter the Lancaster Rail Road Company, and for other purposes; and,

Also, a Bill to alter and amend the Free School laws of this State.

Mr. BRADLEY submitted the following Resolution, which was considered immediately and was agreed to:

*Resolved*, That the Comptroller General do lay before the House, at the earliest day practicable, a statement showing the amount of stock now held, free from any pledge by subscription to other Rail Road Companies, by the State in the South Carolina Rail Road Company, and the amount of said stock which from time to time has been pledged and transferred by the State to other Rail Road Companies, separating so much as has been actually transferred and delivered from such as is now pledged by the State subscriptions to said Companies, and also specifying the proportion of the State subscriptions to the capital stock of said Companies respectively; the amounts of the certificates of stock held by the State in the several Companies to which such aid has been granted, and the dates of such subscriptions, and of the transfers of stock in accordance therewith.

Mr. BOYLSTON presented the report of the President and Directors

of the Charlotte and South Carolina Rail Road Company, which was referred to the Committee of Ways and Means.

Mr. BOYLSTON gave notice that he will ask leave to-morrow to introduce a Bill further to amend the law in relation to Sheriffs.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to provide for the appointment of electors of President and Vice President of the United States by this State.

Pursuant to notice and by leave of the House, Mr. BRADLEY introduced a Bill to authorize the State to aid in the construction of the North Eastern Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. McKNIGHT introduced a Bill to provide for the revision and codification of the Statute Law of this State; which was read the first time and referred to the Committee on the Judiciary.

Mr. GREEN gave notice that he will ask leave to-morrow to introduce a Bill to amend the Charter of the Wilmington and Manchester Rail Road Company.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to incorporate the Exchange Bank in the Town of Columbia, which was read the first time and referred to the Committee of Ways and Means.

On motion of Mr. KEITT, a Bill to alter and amend the Constitution, so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, which had been read three times in the House of Representatives, and three times in the Senate, and was agreed to by two-thirds of both branches of the whole representation of the last General Assembly, was read the first time this day and was referred to the Committee on the Judiciary.

Pursuant to notice, Mr. BLAKENEY introduced a Bill to repeal an Act entitled "an Act to increase the amount of property exempt from levy and sale", which was read the first time and referred to the Committee on the Judiciary.

Mr. MAYBIN gave notice that he would ask leave to-morrow to introduce a Bill to incorporate the Columbia Gas-light Company.

Mr. KERSHAW gave notice that he would ask leave, to-morrow, to introduce a Bill, to aid in the construction of a plank-road from Camden to some point or points on the North Carolina line, in the direction of Munroe, Concord, and Charlotte, in that State.

Also a Bill to provide for the future elections of Electors of President and Vice President of the United States.

Mr. BATES gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the 97th Section of the Militia Laws of this State, so as to authorize the Colonels of Regiments to appoint their own Collectors of Fines.

Mr. CASH gave notice, that he will, to-morrow, ask leave to introduce a Bill to alter and amend the license law of this State.

Mr. CLAWSON gave notice that he will, to-morrow, ask leave to introduce a Bill to amend an Act of this State, passed at the last Session of the Legislature, entitled "an Act to increase the amount of property exempt from levy and sale."

Mr. J. B. PERRY gave notice that he will, to-morrow, ask leave to introduce a Bill to prohibit the sale of spirituous liquors to free persons of color;

Also a Bill to vest the title of the State, in and to certain escheated property, in Lawrence Bowman, Meta Bowman, Louis Bowman and Mary Ann Bowman; and

A Bill to amend the third Section of an Act entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified on 20th day of December, 1850.

Mr. MULLINS gave notice that he will ask leave to-morrow, to introduce a Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road.

Mr. MELTON gave notice that he will ask leave to-morrow, to introduce a Bill to establish and incorporate a Bank in the town of Chester; and

A Bill to exempt the members of the Palmetto Regiment from all Militia and Patrol duty.

Mr. SULLIVAN gave notice that he will ask leave to-morrow, to introduce a Bill to incorporate the Johnson Female University.

Pursuant to notice, and by leave of the House,

Mr. SULLIVAN introduced a Bill to alter and arrange the time of the sitting of the Courts of Equity in the Fifth Circuit; which was read the first time, and referred to the Committee on the Judiciary.

Mr. TORRE gave notice that he would ask leave to-morrow, to introduce a Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature.

Mr. TORRE presented the memorial of the City Council of Charles-

ton, praying that the election of Mayor and Aldermen be biennial, and that the same be fixed for the first Wednesday in November; which was referred to the Charleston Delegation.

Mr. J. B. CAMPBELL presented the memorial of the City Council of Charleston, praying that no more Fire Companies be chartered for the City of Charleston, without the consent of the City Council and the Board of Fire Masters; which was referred to the Charleston Delegation.

Mr. HAMPTON gave notice that he would, to-morrow, ask leave to introduce a Bill to renew the charter of the Commercial Bank of Columbia, South Carolina.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders, and considered and agreed to the Resolution, (submitted by Mr. KEITT yesterday,) to redistrict the State in conformity with the last census and the Act of Congress.

Under the terms of the Resolution, the Speaker appointed the following gentlemen of the committee;—Messrs. L. M. Keitt, J. W. Hearst, O. R. Broyles, S. W. Trotti, W. F. Hutson, A. W. Burnett, C. D. Melton E. B. C. Cash, J. B. Perry, Edgar W. Charles, Jno. C. Allen, Jno. Shedd, Jno. Izard Middleton, W. P. McBee, Robt. Munro, jr. A. H. Boykin, W. C. Cauthen, J. Hudgens, John Fox, W. S. Mullins, T. C. Weatherly, A. C. Garlington, W. D. Steele, Wade Hampton, jr. J. W. Tucker, John T. Green, B. H. Rice, A. Isaac McKnight, A. T. Springs.

On motion of Mr. KEITT,

*Resolved*, That two thousand copies of the documents accompanying the Message No. 1 of His Excellency the Governor be printed for distribution among the members of this House, and that they be referred as follows :

That the report on Prisons and Prison Discipline, and Criminal Law by the Attorney General, be referred to the Committee on the Judiciary :

That the Opinion of John M. Berrien, on the Validity of the South Carolina Port Bill, be referred to the Committee on Colored Population :

That the report on the Augusta Bridge, and on the navigation of the Savannah River, by the Attorney General, be referred to the Committee on Internal Improvements.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to re-charter the Planters & Mechanics Bank of South Carolina.

Mr. CROSSON gave notice that he will ask leave to-morrow to introduce a Bill to establish a Professorship of Agriculture in the South Carolina College.

Mr. GADBERRY gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the law in relation to the collection of debts from free persons of color.

Mr. ANDERSON gave notice that he will to-morrow ask leave to introduce a Bill to prevent the marital rights of the husband from attaching on the estates of married women.

Mr. WALLACE submitted the following Resolution, which was ordered to be considered immediately, and which was agreed to :

*Resolved*, That it be referred to the Committee on the Military to inquire and report upon the expediency of so modifying the duties of the office of Adjutant and Inspector General as to dispense with field services, with a corresponding reduction of salary : also to reduce the salary of Quarter Master General.

The following Message was received from the Senate :

IN THE SENATE, November 24, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go into an election for United States Senator to fill the vacancy occasioned by the resignation of the Honorable R. Barnwell Rhett, on Friday next, at 1 o'clock, P. M.; and immediately thereafter, into an election for Senator of the United States for the term commencing on the 4th March, 1853.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. POPPENHEIM, the Message was ordered to *lie on the Table*.

On motion of Mr. GREEN,

*Ordered*, That when this House adjourns, it will be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. TRADEWELL, the House was adjourned at 14 minutes past 2 o'clock, P. M.



## THURSDAY, NOVEMBER 25, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

*Additional Member.*—Mr. B. J. Johnson, member from St. Helena, appeared and took his seat.

Mr. B. F. Perry, a member elect from Greenville, appeared, was sworn and took his seat.

Mr. HAMMOND presented the memorial of James Jones and Joseph F. Kennedy, praying an amendment to their charter to the Augusta Bridge; which was referred to the Committee on Incorporations.

Mr. THORNWELL presented the petition of Catharine McDonald, praying that the right and title of the State to the personal estate of Danl. McGill, liable to escheat, may be vested in her; and,

Also, the petition of J. J. Gibson, praying that the title of the State in the real and personal estate of Levi Gibson, liable to escheat, may be vested in Levi Gibson, infant child of Elvira Kirby; which were severally referred to the Committee on the Judiciary.

Mr. SLOAN presented the account of W. H. Trimmier for printing; which was referred to the Committee on Claims; also,

The petition of Matthew Abbott, of Pickens District, praying to be placed on the Pension Roll of this State; which was referred to the Committee on Pensions.

Mr. TRADEWELL presented the petition of the Corporation of the Town of Columbia, asking aid from the State in enlarging the Water Works of the town; which was referred to the Committee on Internal Improvements.

Mr. HAMPTON presented the account of W. W. Purse for work done in the House of Representatives; and,

Mr. GARLINGTON, the petition of L. J. Jones, praying to be paid rent for commissioner's office for 1851 and 1852; and,

Also, the petition of James Bonds, praying to be paid rent for sheriff's office for 1851 and 1852; which were severally referred to the Committee on Claims.

Mr. REYNOLDS presented the return of the Commissioners of Free Schools for the Parishes of St. Philips and St. Michaels; which was referred to the Committee on Education.

Mr. ASHMORE presented the petition of Middleton Du Bose, praying the re-charter of his bridge across Lynch's Creek : which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. Perry submitted the presentment of the Grand Jury of Colleton District, Spring Term, 1852 :

So much as relates to the authority of Commissioners of the Poor and of Public Buildings to impose taxes, and so much as presents the practice of burning the woods and old fields, was referred to the Committee on Grievances :

So much as presents that portion of the road law that gives Commissioners of the Roads power to make assessments for the purpose of building and repairing bridges, and so much as presents the license law for retailing spirituous liquors, were referred to the Committee on Roads, Bridges and Ferries :

So much as presents Militia Company Musters as a grievance, was referred to the Committee on the Military ; and,

So much as presents the necessity for stricter laws to prevent the practice of treating at elections, was referred to the Committee on Privileges and Elections.

Mr. BLAKENEY presented the return of the Commissioners of Free Schools for Chesterfield District for 1852; which was referred to the Committee on Education.

Mr. HUTSON presented the petition of the Joint Board of Commissioners of Roads to amend the Road Law, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. TRENHOLM presented the petition of sundry Merchants of Charleston praying the modification of the laws for the inspection of flour ; which was referred to the Committee on Internal Improvements.

Mr. CAUTHEN presented the memorial of the citizens of Lancaster District, praying a Charter for a Rail Road and other purposes ; which was referred to the Committee on Incorporations.

Mr. HARRISON presented the petition of sundry citizens of Edgefield District, praying the opening of a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. HUDGENS presented the petition of sundry citizens of Laurens Village, praying a renewal of a Charter of Incorporation with additional privileges ; which was referred to the Committee on Incorporations.

Mr. J. B. CAMPBELL presented the memorial of the City Council

of Charleston, praying that little Coming's Creek be closed up; which was referred to the Charleston Delegation.

Mr. CHARLES presented the petition of citizens of Darlington District, for the re-establishment of a road known as Field's Bridge, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WEATHERLY presented the accounts of Doctors W. D. Wallace and W. J. Daniel, for *post mortem* examinations, which were referred to the Committee on Claims.

Mr. CLARK presented the return of the Commissioners of Free Schools of Fairfield District for 1852; which was referred to the Committee on Education.

Mr. CROSSON presented the petition of members of Prosperity Church, Newberry District, praying incorporation.

Also the petition of the members of Cannon's Creek Church, containing a similar prayer; which were severally referred to the Committee on Incorporations.

Also the petition of the Greenville and Columbia Rail Road Company, praying to have the Saluda and Broad River Bridges Chartered as Toll bridges; which was referred to the Committee on Roads Bridges and Ferries.

Mr. CROSSON also submitted the report of the Greenville and Columbia Rail Road Company; which was referred to the Committee of Ways and Means; and ordered to be printed.

Mr. BROYLES presented the petition of sundry citizens of Pickens District, for an additional magistrate; which was referred to the Committee on District Offices and Officers.

Also two petitions of sundry citizens of Anderson District, praying the continuance of a road, which were referred to the Committee on Roads, Bridges and Ferries.

Also the petition of sundry citizens of Anderson, praying the division of Pendleton District, which were referred to the Committee on Privileges and Elections; and

Also the account of the Southern Rights' Advocate, for Public Printing; which was referred to the Committee on Claims.

Mr. B. J. JOHNSON presented the petition of Lewis R. Jones, praying compensation for two slaves executed; which was referred to the Committee on Claims.

Also the petition of sundry citizens of the Parishes of St. Helena and

Prince William's, respecting the "Port Royal Ferry;" which was referred to the Committee on Roads, Bridges and Ferries.

Also the return of the Commissioners of Free Schools for St. Helena Parish, for the year 1852; which was referred to the Committee on Education;

Also the petition of sundry citizens of Beaufort, praying the incorporation of the Beaufort Loan and Building Association; which was referred to the Committee on Incorporations.

Mr. J. I. INGRAM presented the petition of Jephtha Dyson, praying direction to the Bank of the State for payment due him; which was referred to the Committee of Ways and Means.

Mr. GARLINGTON presented the account of James Bonds, Sheriff of Newberry District, for blankets furnished prisoners; which was referred to the Committee on Claims.

Mr. MANIGAULT submitted the returns of the Commissioners of Poor, in account with the Transient Poor Fund of Georgetown District, for 1852; which was referred to the Committee of Ways and Means.

Mr. BOYKIN submitted the report of the State proxies in the South Carolina Rail Road Company and the South Western Rail Road Bank; which was referred to the Committee of Ways and Means.

Mr. GADSDEN presented the petition of the Commissioners of Roads, for the Parish of St. James, Santee, praying that the Road Law be so altered as to said Parish, as to authorize the Commissioners to require hands to work on roads not more than fourteen miles from their residence; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. WITHERSPOON presented the memorial of citizen of Sumter, for the charter of a Bank in the Town of Sumterville; which was referred to the Committee of Ways and Means.

Mr. TILLINGHAST presented the petition of sundry citizens of the Village of Bluffton, praying for incorporation of the same: and also a counter petition from sundry others, citizens of the same village; which were severally referred to the Committee on Incorporations.

Mr. TORRE presented the petition of John A. Gyles, praying compensation for holding two inquests of lunacy by order of Court; which was referred to the Committee on Claims.

Mr. HOWELL presented the petition of the Columbia Building and Loan Association for incorporation; which was referred to the Committee on Incorporations.

Mr. ELLIS presented the counter petition of sundry citizens of Prince William's and St Bartholomew's, praying that Saltketcher be not made a Toll Bridge; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MULLINS presented the account of Dr. A. W. Bethea, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. B. F. PERRY presented the petition of sundry citizens of Greenville, praying for a charter for a turnpike road over the Saluda Mountain, from Greenville Court House through Gap Creek to the North Carolina line; and

Also the petition of sundry citizens of North Carolina, praying a turnpike road over the Saluda Mountains at Gap Creek; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also a petition of Thomas Freen, late Surveyor General, praying payment of his claim, and for other purposes; which was referred to the Committee on Claims.

Mr. DEAN presented the petition of sundry citizens of Spartanburg, asking for change of place of election and for a new place of election; which was referred to the Committee on Privileges and Elections.

Mr. BOYLSTON presented the petition of William H. Trapp, praying that the exclusive right to navigate Little River may be vested in him; which was referred to the Committee on Internal Improvements.

Mr. ASHMORE submitted the report of the State Reporter, with the 5th volume of Richardson's Law Reports and the 3d volume of Richardson's Equity Reports; which, with the Reports, was referred to the Committee on the Judiciary.

Mr. ASHMORE, from the Committee on Claims, made reports

On the petition of Dr. Josiah B. Fishburne;

On the petition of Massena Taylor;

On the account of Dr. B. T. Yarborough;

On the account of Dr. Jno. J. Bossard;

On the account of the Palmetto Standard;

On the account of Dr. Irby Dunklin;

On the accounts of Dr. W. W. Smith;

On the account of Dr. W. H. Hagood;

On the petition of A. Lites;

On the petition of F. N. Garvin;

On the account of Dr. David M. Lafitte;

On the account of the Charleston Courier ;  
On the account of Dr. L. B. Johnson ;  
On the account of R. M. Stokes ;  
On the account of Dr. S. B. Graham ;  
On the account of Dr. T. W. Thomson ;  
On the account of Dr. William L. Pickett ;  
On the account of J. J. Atwood ;  
On the petition of Bartlett Red and Samuel Webb ;  
On the account of Dr. John W. Ogilvie ;  
On the account of Dr. N. H. Johnson ; which were ordered for consideration to-morrow.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred so much of the presentment of the Grand Jury of Beaufort District as relates to the execution of colored persons, reported a Bill in relation to the execution of slaves and free persons of color ; which was read the first time and ordered to be read the second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred a Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, made a report ; which was ordered for consideration to-morrow.

Mr. LANNEAU, from the Committee on Vacant Offices, reported that the office of Senator in the Congress of the United States, for the unexpired term for which the Honorable R. B. Rhett was elected, is vacant, and that the office of Senator in the Congress of the United States, for the term beginning the 4th of March next, is vacant ; which report was ordered to be considered immediately and agreed to.

On motion of Mr. OWENS, the message from the Senate, proposing to go into an election for a United States Senator, to fill the vacancy occasioned by the resignation of the Honorable R. B. Rhett, on Friday next, at 1 o'clock, P. M., and immediately thereafter into an election for Senator of the United States for the term commencing on the 4th of March, 1853, was taken up.

After discussion, Mr. TORRE moved to lay the message *on the Table*, and the question being put, tellers were called for and the House divided. Messrs. Torre and Hutson were appointed to count the House, who reported forty-seven in the affirmative, and forty-five in the negative. So the message was ordered to lie *on the Table*.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported

that the office of Treasurer of the Upper Division is vacant, which was ordered to be considered immediately and agreed to.

### MESSAGE NO. 2.

Message No 2, from His Excellency the Governor was received and read by Colonel Beaufort T. Watts, his private Secretary, communicating the memorial of G. E. Walker and John Johnson, Civil Engineers, praying aid in the publication of a Map of the State, and the Report of the Board of Ordnance.

EXECUTIVE DEPARTMENT, }  
November 25, 1852. }

*Gentlemen of the Senate*

*and House of Representatives :*

I herewith send you the Memorial of G. E. Walker, and John Johnston, Civil Engineers, praying for aid in the publication of a new Map of the State. Such a map is greatly needed at present, as so many changes have taken place in the geography of the State since the publication of the maps now in use. It has been carefully examined by competent persons, and found to be correct. I recommend that you at least aid them so far as to authorize the Governor to subscribe for a sufficient number of copies to supply all the public offices in the State.

These young gentlemen are natives of our State, and deserve much credit for their enterprize. I trust that their Memorial will meet with a favorable reception at your hands.

The Report of the Board of Ordnance, together with that of the Major of Ordnance, is herewith transmitted.

You will perceive from it that all the contracts have been completed, except by the one with Messrs. Glaze & Boatwright, for small arms, and with Waner for gun carriages. As the Board were satisfied that every effort in their power had been made by Messrs. Glaze and Boatwright to complete the contract at the time specified, and that they had been delayed by difficulties incident to the establishment of a new enterprize, they determined to extend their time to the 11th December, 1853. There will be no further necessity of keeping up the Board of Ordnance any longer, but it is absolutely necessary that the Ordnance officer be continued until the contracts are completed.

J. H. MEANS.

On motion of Mr. KEITT the message was made the special order of the day for 1 o'clock, P. M., to-morrow.

Mr. SLOAN from the Committee on Privileges and Elections, to whom was referred A Bill providing compensation for Managers of Elections made a report ; which was ordered for consideration to-morrow.

Mr. SLOAN, from the same Committee, to whom had been referred the returns of the Managers of Elections for St. Bartholomew's Parish, with sundry affidavits, reported that they had duly considered the same, and are of opinion, that the managers should have corrected the rejected box, and included its contents in their estimate of the votes. That if this had been done, Mr. Lewis O'Bryan would have received a majority of votes, even after throwing off the votes which had been first put in the paper box. The Committee therefore recommend that the House declare Mr. Lewis O'Bryan entitled to the seat returned by the said Managers as vacant. The report was ordered to be considered immediately.

Mr. HUNT moved to lay the report *on the Table*, and the question being put, Tellers were called for, and the House divided. Messrs. Keitt and Hutson were appointed to count the House, who reported 48 in the affirmative and 61 in the negative.

The House therefore, refused to lay the report on the table, and the question being put, Will the House agree to the Report? it was decided in the negative :

Yeas, 42—Nays, 68.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are :

|  |                 |
|--|-----------------|
| The Honorable JAMES SIMONS, Speaker, and |                 |
| Messrs. Alexander,                       | Messrs. Green,  |
| Allen,                                   | Hampton,        |
| Ashmore,                                 | Harrison,       |
| Bailey,                                  | Howell,         |
| Bates,                                   | Hutson,         |
| Boykin,                                  | J. G. Ingram,   |
| Burt,                                    | A. R. Johnston, |
| Byrd,                                    | Kershaw,        |
| Charles,                                 | Lawton,         |
| Clarke,                                  | Mobley,         |
| Cooner,                                  | Morgan,         |
| Duncan,                                  | Munro,          |
| Flagg,                                   | Murray,         |
| Gadsden,                                 | Owens,          |



THURSDAY, NOVEMBER 25, 1852.

Messrs. Pickens,  
Poppenheim,  
Reynolds,  
Seabrook,  
Seigling,  
Sinkler,  
Sloan,

Messrs. Springs,  
Torre,  
Trotti,  
Vance,  
Wagner, and  
Walker.

Those who voted in the negative are,

Messrs. Anderson,  
Beaty,  
Blakeney,  
Blum,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Barnet,  
R. E. Campbell,  
J. B. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Christie,  
Clawson,  
Crosson,  
Cruikshank,  
Dean,  
Dwight,  
Elliott,  
Ellis,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hammond,  
Haskell,  
Hearst,  
Hope,

Messrs. Hudgens,  
Hunt,  
Tillman Ingram,  
B. J. Johnson,  
W. R. Johnson,  
Jordan,  
Keitt,  
King,  
Lanneau,  
Leitner,  
McBee,  
McCrary,  
McGowan,  
McKnight,  
Manigault,  
Melton,  
Middleton,  
Mitchell,  
Mullins,  
B. F. Perry,  
Pitts,  
Read,  
Rice,  
Rosborough,  
Shedd,  
Steel,  
Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,

Messrs. Tradewell,  
Trenholm,  
Tucker,  
Wallace,

Messrs. Weatherly, |  
Wescoat,  
Winsmith, and  
Witherspoon.

Messrs. J. B. Perry and Stokes, members from St. Bartholomew's, were excused from voting.

Mr. J. B. PERRY submitted the following Resolution, which was ordered to be considered immediately, and was agreed to.

*Resolved*, That a Writ of Election do forthwith issue to fill the vacancy in the representation, in this House, from the Election District of St. Bartholomew's.

Mr. TUCKER, from the Special Committee to whom had been referred a Resolution respecting Common School Education, and the petition of the Teachers' Association and others of Union District, made a Report: and,

On motion of Mr. TUCKER, the Report was re-committed to the same Committee.

Mr. HUNT, from the Committee on the Judiciary, to whom were referred the presentments of the Grand Juries of Union and Barnwell Districts, recommending the establishment of a penitentiary—the presentments of the Grand Juries of Newberry, Kershaw, Sumter, and Abbeville presenting the carrying of concealed weapons; and, also, the presentment of the Grand Jury of Abbeville, recommending an increase in jurisdiction of Magistrates, made a Report, which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred a Bill to enable Planters and Farmers to prove Accounts made by them in the sale of their Produce, made a Report, which was ordered, for consideration to-morrow.

On motion of Mr. ASHMORE,

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow, at 12, M.

On motion of Mr. ASHMORE, the House was adjourned at 53 minutes past 3 o'clock, P. M.

## FRIDAY, NOVEMBER 26, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. PORCHER, a member from St. Stephens, appeared and took his seat.

The SPEAKER announced that Mr. B. F. Perry is added to the Committee of Ways and Means, also to the Committee on the Judiciary; and,

That Mr. O. R. Broyles is added to the Committee on Agriculture.

The Senate sent to this House for concurrence, a Resolution providing for the presentation of a Sword to Colonel Benjamin Huger, which was ordered for consideration to-morrow.

Mr. BOYLSTON presented the memorial of the Spartanburg and Union Rail Road Company, praying further aid in the prosecution of their enterprize; which was referred to the Committee on Ways and Means.

Mr. HUNT presented the petition of N. Nathans, H. Clark, and others, praying that the public highway called Coming's Creek, in Charleston be not closed; which was referred to the Charleston Delegation.

Mr. WINSMITH presented the petition of sundry citizens of Spartanburg District to incorporate Friendship Baptist Church of said District; and,

Mr. HASKELL, the petition of the inhabitants of Adams' Run for incorporation; which were severally referred to the Committee on Incorporations.

Mr. DANTZLER presented the memorial of sundry citizens of St. Matthews Parish, praying that the road across Santee swamp at Vance's Ferry be re-constructed; which was referred to the Committee on Internal Improvements.

Mr. McCRADY presented the petition of the Blue Ridge Rail Road Company and others, for a charter and pecuniary aid; which was referred to the Committee of Ways and Means.

Mr. SEIGLING presented the petition of the "Axe Company of Charleston Neck," praying for change of name; and the petition of the "German Farming Society of Charleston," praying incorporation:

Mr. BLUM presented the petition of sundry citizens for an incorporation of the "Carolina Mutual Insurance Company of Charleston;" and,

Mr. SLOAN presented the petition for an Act to incorporate the town of Wallealla, in Pickens District; which were severally referred to the Committee on Incorporations.

Mr. SLOAN also presented the petition of Benjamin Hagood against the grant of a turnpike road up the middle fork of Saluda River, Greenville District; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. TILLINGHAST presented the petition of the inhabitants of the village of Bluffton, protesting against an Act of Incorporation of the said village; and,

Mr. BATES, the petition of sundry citizens of Spartanburg District to incorporate Buck Creek Baptist Church of said District; which were severally referred to the Committee on Incorporations.

Mr. CHRISTIE presented the account of Dr. J. C. Lanier for *post mortem* examination; which was referred to the Committee on Claims.

Mr. BROYLES presented the memorial of the Commissioners of Public Buildings for Anderson District, praying an additional appropriation for the erection of a new Court House; which was referred to the Committee on Public Buildings.

Mr. CLAWSON presented the account of Thomas J. Eccles for public printing; which was referred to the Committee on Claims.

Mr. KING presented the petition of the congregation of Beth Elohim, to vest the title of certain property in the petitioners for certain uses, with power to dispose of a part thereof; which was referred to the Committee on the Judiciary.

Mr. TORRE presented the petition of the German Artillery Company and Charitable Society of Charleston, praying an Act of Incorporation;

Also, the petition of the Fire Department of Charleston, praying an Act of Incorporation for the Fireman's Insurance Company; and,

Also, the petition of the Mayor and Aldermen of the City of Charleston, with the same prayer; which were severally referred to the Committee on Incorporations.

Mr. KERSHAW presented the return of the Commissioners of Free Schools for Kershaw District for the year 1852; which was referred to the Committee on Education.

On motion of Mr. BOYKIN, the Reporter of the Camden Journal was allowed a seat on the floor of this hall.

Mr. DEAN presented the petition of sundry citizens of Spartanburg

District, praying that the Spartanburg Baptist Church be incorporated ; which was referred to the Committee on Incorporations.

Mr. ASHMORE presented the account of the Palmetto State Banner for public printing ; which was referred to the Committee on Claims.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of Weyhe & Wessels ; and

On so much of the presentment of the Grand Jury of Union District as relates to poll tax, and tax in aid of Rail Roads ; which were ordered for consideration to-morrow.

On motion of Mr. McGOWAN, the Committee on the Military was discharged from the consideration of the petition of the Richland Volunteer Rifle Company praying a re-charter, and the same was referred to the Committee on Incorporations.

Mr. LEITNER, from the Committee on Internal Improvements, to whom was referred the petition of the Intendant and Wardens of the town of Mount Pleasant, praying the appointment of Commissioners to extend Pitt-street, reported a Bill to open and extend Pitt-street, in the town of Mount Pleasant, to Hibben-street ; which was read the first time and ordered for a second reading to-morrow.

Mr. LEITNER, from the same Committee made reports

On the petition of sundry citizens of Williamsburg District, asking aid to deepen a Cut from Lynch's creek to Pee Dee river ; and, also,

On the presentment of the Grand Jury of Sumter District in relation to the embankment over the Santee at Vance's Ferry ; which were severally ordered for consideration to-morrow.

The following message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, NOV. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into an election for Treasurer of the Upper Division to-day, at half-past 1 o'clock P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. ASHMORE, from the Committee on Claims, made Reports on

The account of Dr. W. C. Miller ;

The petition of Dr. J. N. Lawrence ;

The petition of Charles H. Allen ;

The account of V. Little ;  
The petition of George Denson ;  
The account of J. J. Rowe ;

The account of Dr. J. H. Boatwright ; which were severally ordered for consideration to-morrow.

Mr. ASHMORE, from the same Committee, to whom had been referred the petition of M. McDonald praying payment for issuing writs of election, made a Report, recommending that the prayer of the petitioner be not granted. The House ordered the Report to be considered immediately, and the same was agreed to.

On motion of Mr. ASHMORE the petition was withdrawn, and

On his motion, the Committee on Claims was discharged from the consideration of the petition of William Blackledge, and Mr. Tradewell obtained leave to withdraw the petition.

Mr. HUTSON, from the Committee on the Judiciary, to whom had been referred sundry petitions of citizens of Pendleton praying a division of that district into two Election Districts, reported a Bill to alter the Constitution of this State so as to divide Pendleton into two Election Districts, which was read the first time and was ordered for a second reading to-morrow.

Mr. TUCKER, from the Special Committee, to whom had been referred the petition of the Union District Teachers' Association and others, praying an alteration in the Free School system, and also a Resolution to appoint a Select Committee to take into consideration the subject of Common School Education, made a report, which was ordered for consideration to-morrow.

Mr. BRADLEY gave notice that he will ask leave to-morrow to introduce a Bill making it the duty of Magistrates in their respective Beat Companies, to enforce the laws relating to traffic with slaves.

Mr. HUNT gave notice that he will ask leave to-morrow to alter the 53rd Rule of this House.

Mr. MCGOWAN gave notice that he will ask leave to-morrow to introduce a Bill to provide for the Establishment of a general system of Registration of Births, Deaths and Marriages, in the State of South Carolina.

Pursuant to notice and by leave of the House, Mr. MIDDLETON introduced a Bill to define the principles on which Joint Stock Banks shall be incorporated ; which was read the first time and referred to the Committee of Ways and Means.

The following message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, Nov. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into a ballot for Attorney General to-day, immediately after the ballot for Treasurer of the Upper Division.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Pursuant to notice, and by leave of the House, Mr. KERSHAW introduced a Bill to provide for future elections of Electors for President and Vice President of the United States ; which was read the first time, and was made the special order of the day, for Monday next, at 1 o'clock, P. M., in the Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. MAYBIN introduced a Bill to incorporate the "Columbia Gas-Light Company," which was read the first time and referred to the Committee on Incorporations.

Mr. TUCKER gave notice that he will ask leave to-morrow to introduce a Bill to establish Boards of Direction for Commissioners of Common Schools, and for other purposes.

Pursuant to notice and by leave of the House, Mr. TILLINGHAST introduced a Bill to alter and amend the 13th Section of the 2d Article of the Constitution, so as to make it obligatory upon the Governor to convene the General Assembly on the day designated by Congress for the election of Electors of President and Vice President of the United States ; which was read the first time and made the special order of the day, for 1 o'clock, P. M., on Monday next, in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to renew the Charter of the Commercial Bank of Columbia, South Carolina, which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to provide for the appointment of Electors of President and Vice President of the United States, by this State ; which was read the first time, and was made the special order of the day at 1 o'clock, P. M., on Monday next, in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to renew the Charter of the Planters' and Mechanics' Bank

of South Carolina; which was read the first time and referred to the Committee of Ways and Means.

The Senate then attended and joined the House in a first ballot for Treasurer of the Upper Division.

## MESSAGE NO. 3.

Message No. 3, from His Excellency the Governor, was received and read by Colonel Beaufort T. Watts, his private Secretary, communicating a letter from Governor Cobb of Georgia on the boundary between Georgia and South Carolina; which was referred to the Committee on the Judiciary, and was ordered to be printed.

EXECUTIVE DEPARTMENT, }  
Columbia, Nov. 26, '52. }

*Gentlemen of the Senate*

*and House of Representatives :*

I received, this morning, a reply from His Excellency, Gov. Cobb, of Georgia, to my letter, on the subject of the boundaries of our respective States. I herewith send it to you, and request that you will refer it to the Committee, to which the papers on that subject, which were transmitted with my first Message, were referred. J. H. MEANS.

The Senate then attended, and joined the House in the first ballot for Attorney General.

Pursuant to notice and by leave of the House, Mr. BOYLSTON introduced a Bill further to amend the Law in relation to Sheriffs; which was read the first time and referred to the Committee on the Judiciary.

Mr. SLOAN gave notice that he will ask leave to-morrow to introduce a Bill to aid in the construction of the Pendleton Rail Road.

Pursuant to notice and by leave of the House, Mr. TORRE introduced a Bill to incorporate the Fireman's Insurance Company of Charleston; also a Bill to relieve Plank Road Companies from the necessity of making returns unless specially called for by the Legislature; which were read the first time and referred to the Committee on Incorporations.

Mr. TORRE gave notice that he will to-morrow ask leave to introduce a Bill, to incorporate the German Artillery Company and Charitable Society of Charleston.

## SPECIAL ORDER.

The House then proceeded to the consideration of the Governor's Message No. 2. which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. KEITT



*Resolved*, That so much of the Message as relates to the memorial of Messrs. George E. Walker and John Johnson and a new map of the State, be referred to the Committee on the Library.

That so much as relates to the Board of Ordnance and the accompanying documents thereon, and the Office of Major of Ordnance, be referred to the Committee on the Military.

Mr. DUNCAN, from the Committee appointed to count the votes cast for Treasurer of the Upper Division, on the first ballot, reported that no candidate had received a majority and that consequently there is no election.

The following Message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, NOV. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go forthwith into a second ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. LEITNER gave notice that he will ask leave to-morrow to present a Bill to appropriate thirty-five hundred dollars for the purpose of erecting a suitable building for the Education of the Deaf and Dumb of this State, at the Cedar Springs, in Spartanburg District.

Pursuant to notice and by leave of the House, Mr. HUNT introduced a Bill to fix the term of all persons officially entitled to receive the money of citizens and to secure more perfectly money in the hands of public officers ; which was read the first time and referred to the Committee on the Judiciary.

Mr. HUNT gave notice that he would ask leave to-morrow to introduce a Bill to renew the Charter of the Bank of the State of South Carolina, and also a Bill to define the power of Judges to take the property or to imprison the person of a citizen without trial by Jury.

Mr. HUNT submitted the following Resolutions :

1st. *Resolved*, That when the charter of any private bank expires by its own limitation, the contract of the State with the Stockholders is at an end, and that they have no claim to monopolize the stock for a new term, but that the right to subscribe for that or any other new bank belongs to the public generally.

2d. *Resolved*, That the public safety demands that all currency based

upon the capital of private banks, should be fully redeemed at the expiration of their charters.

3d. *Resolved*, That in granting a charter to any new private bank, no bonus ought on principle to be received, as it is either a purchase from the State of the franchise entrusted to the Legislature for the general good by a privileged few, or it is a commutation, during the charter, of all taxes, which is against principle and expediency, as all property should remain liable to taxation, as the exigency of the case may require.

4th. *Resolved*, That it is expedient for the Legislature to prescribe by law the principles on which all bank charters to private banks shall be granted—fixing the amount of capital, the terms on which their promissory notes shall be issued, to pass as currency, and to secure the public from all suspension or omission to redeem the same in specie on demand.

5th. *Resolved*, That the State ought not to vest in any bank composed of private stockholders, the right to issue their own promissory notes as money, unless the redemption of the same is amply secured by funds in the hands of the Comptroller, for the use of the bill holders.

The Resolutions were made the special order of the day for 1 o'clock, P. M., on Tuesday next, and were ordered to be printed.

The Senate then attended and joined the House in a second ballot for Treasurer of the Upper Division.

Mr. MIDDLETON submitted the following Resolutions :

1st. *Resolved*, That this General Assembly highly appreciates the meritorious conduct and gallantry of Colonel Benjamin Huger of the Ordnance Corps, in a long course of service in the Army of the United States, and more particularly as displayed at the siege of Vera Cruz.

2d. *Resolved*, That his Excellency the Governor be requested to cause to be prepared, a suitable Sword, and that he present the same, on behalf of this State, as a testimonial of its estimation of that distinguished officer.

Mr. J. B. CAMPBELL moved to amend the Resolutions by adding thereto the following :

*Resolved*, That among the sons of South Carolina who, by their distinguished valor and military skill in the Mexican war, acquired renown for themselves and adorned her annals, she cherishes with peculiar pride and affection the memory of Brevet Captain Stuart, of the Rifle Regiment, United States Army.

*Resolved*, That, in the opinion of the Legislature, the sad but heroic termination of his life, cut short a career, whose dawning was bright with assurances for the future.

*Resolved*, That the Governor of the State be requested to provide a suitable Sword, to be presented to the eldest surviving brother of Capt. Stuart, as a testimonial of her appreciation of him while living and her fond remembrance of him in death.

On motion of Mr. MIDDLETON, the amendment, proposed by Mr. J. B. Campbell, was ordered to *lie on the Table*.

The Resolutions, submitted by Mr. MIDDLETON, were then agreed to, and ordered to be sent to the Senate for concurrence.

On motion of Mr. POPPENHEIM, a message was ordered to be sent to the Senate, proposing to go into an election for a United States Senator, to fill the vacancy occasioned by the resignation of the Honorable R. B. Rhett, on Monday next, at  $\frac{1}{2}$  past 12 o'clock, P. M., and to go into an election for a Senator, in the United States Senate, for the Term commencing 4th March, 1853, on Tuesday next, at  $\frac{1}{2}$  past 12 o'clock, P. M.

On motion of Mr. MIDDLETON, the Resolutions submitted by Mr. J. B. Campbell, on the late Captain James Stuart, were *taken up* and were agreed to, and were ordered to be sent to the Senate for concurrence.

On motion of Mr. TORRE,

*Ordered*, That when this House adjourns it shall be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. J. B. CAMPBELL,

*Resolved*, That the Committee on the Legislative Library be instructed, to cause the Library to be kept open from 9 o'clock in the morning till 9 o'clock at night, or later, if either House shall be in session, of each day, Sunday excepted, during the Session of the General Assembly.

On motion of Mr. McCRADY, the use of the Hall, was granted to Mr. Walker, a teacher of the Deaf and Dumb, this evening and to-morrow morning.

On motion of Mr. TORRE the House was adjourned at 43 minutes past 3 o'clock, P. M.

SATURDAY, NOVEMBER 27, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair and a quorum being present, the Journal of yesterday's proceedings was read.

The following Message was received from the Senate:

IN THE SENATE, November 26, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the Message from your House asking Senate to appoint a Special Committee to meet the Special Committee appointed by your House to re-district the State, in conformity with the last census and the Act of Congress pertaining thereto, and has appointed Messrs. De Treville, Buchanan, Moses, Witherspoon, Gist, Adams, Brockmish, Boozer, Calhoun, Cannon, Carn, Chesnut, Dudley, Evins, Goodwyn, Griffin, Grissette, Harlee, Hasell, Huey, Marshall, McAliley, Miller, Moorman, Porter, Powe, J. J. Wilson, and Zimmerman; a special Committee to join the Committee of your House for that purpose.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Pursuant to notice and by leave of the House, Mr. SULLIVAN introduced a Bill to incorporate the "Johnson Female University," which was read the first time and referred to the Committee on Incorporations.

Mr. MIDDLETON submitted the Report of the Comptroller General, which, with the accompanying documents, was referred to the Committee of Ways and Means, and was ordered to be printed.

Mr. JOHN J. INGRAM presented the return of the Commissioners of Free Schools for Clarendon county; and,

Mr. HUTSON, the return of the Commissioners of Free Schools for Prince Williams for the year 1852; which were severally referred to the Committee on Education.

Mr. MAYBIN presented the petition of William Reynolds and others, praying the incorporation of the "Hibernian Benevolent Society" of Columbia, which was referred to the Committee on Incorporations;

Also, the petition of Jesse E. Dent, praying payment of an account against the State; which was referred to the Committee on Claims.

Mr. WALLACE presented the petition of citizens of York District, praying the change of a place of election; which was referred to the Committee on Privileges and Elections;

Mr. WILLIAMS presented the account of L. M. Grist for public printing; which was referred to the Committee on Claims.

Mr. TUCKER presented the petition of sundry members of Morgan Lodge No. 19, Independent Order of Odd Fellows, praying an Act of Incorporation; which was referred to the Committee on Incorporations;

Also, the petition of C. J. Gaffney, praying a charter for a Ferry; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. FOX presented the petition of Michael Lorick, praying the State to sell to him a tract of public land; which was referred to the Committee on the Judiciary.

Mr. FLAGG, from the Committee appointed to count the votes on the second ballot for Treasurer of the Upper Division, reported that no candidate has received a majority of the votes cast, and that consequently there was no election.

Mr. SULLIVAN presented the petition of Eveline Dill, praying to be placed on the pension list; which was referred to the Committee on Pensions.

Mr. MELTON presented the return of the Commissioners of Free Schools for Chester District for the year 1852; which was referred to the Committee on Education.

Mr. MOBLEY presented the petition of William Bouknight for the re-charter of Huiet's Ferry over Saluda River; which was referred to the Committee on Roads, Bridges and Ferries.

The following Message was received from the Senate :

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the proposal of your House to go into an election for United States Senator to fill the vacancy occasioned by the resignation of the Hon. R. B. Rhett, on Monday next, at half-past 12 o'clock, M., and on Tuesday thereafter, at the same hour, into an election for Senator of the United States for the term commencing on the 4th of March, 1853.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The following Message was received from the Senate, was concurred in, and an answer was returned :

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go forthwith into a third ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. MITCHELL presented the account of B. C. Pressly for public printing, and

Mr. TRADEWELL the accounts of Johnston & Cavis for public printing; which were severally referred to the Committee on Claims.

Mr. ELLIS, from the Committee appointed to count the votes on the ballot for Attorney General, reported that they had discharged the duty assigned to them, and find that Isaac W. Hayne received eighty-two (82) votes; R. DeTreville seventy-one (71) votes, and that there were three (3) blank votes, and that seventy-nine votes is therefore a majority.

Whereupon the SPEAKER announced that Isaac W. Hayne is duly elected Attorney General of the State of South Carolina.

Mr. BYRD presented the petition of sundry citizens of Darlington praying the establishment of new places of elections; which was referred to the Committee on Privileges and Elections.

Mr. TRADEWELL presented the Report of the Comptroller General, to whom was referred the account of William Blackledge for attending as a witness in a contested election; and

Mr. SEIGLING presented the account of Thomas J. Gantt for printing Briefs under the Resolution of the Legislature of 1851; which were severally referred to the Committee on Claims.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported: That the offices of Governor and Lieutenant Governor of the State; of Solicitor of the Northern, and of the Southern Circuits; and the office of Commissioner in Equity for the following Districts, Horry, Newberry, Laurens, Richland, Pickens, Darlington and Union, are vacant.

Mr. McGOWAN moved that a message be sent to the Senate, proposing to go into an election for Solicitor of the Northern Circuit at 1 o'clock, and immediately thereafter into an election for Solicitor of the Southern Circuit.

Mr. HUNT moved to amend the motion by adding, "and for all officers, whose offices have been reported vacant.

Mr. KEITT moved to amend the amendment by striking out Governor

and Lieutenant Governor; which was agreed to and Mr. McGowan's motion thus amended was agreed to.

The following Message was received from the Senate, in which the House concurred, and an answer was returned.

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate proposes to your House to go into an election for Commissioners in Equity for the Districts of Richland, Union, Laurens, Newberry, Horry, Darlington and Pickens, to-day, immediately after the third ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported that the office of Commissioner in Equity for Williamsburg District is vacant.

On motion of Mr. B. J. JOHNSON, a message was sent to the Senate proposing to go into an election for Commissioner in Equity for Williamsburg District at the same time with the election of the other Commissioners.

Mr. OWENS, from the Committee on Roads, Bridges, and Ferries, made Reports on:

The petition of Emanuel Witsell, praying the re-charter of Jacksonboro Ferry;

The petition of Moses West, praying the re-charter of Rumph's Bridge over the Edisto, formerly Givhan's;

So much of the presentment of the Grand Jury of Newberry District as relates to tavern licenses;

So much of the presentment of the Grand Jury of Richland, as relates to the Road Law;

The petition of citizens of St. Helena and Prince Williams, respecting Port Royal Ferry;

The petition of citizens of Darlington, praying the establishment of Middle Bridge Road; and,

The petitions of the Board of Commissioners and citizens of St. Bartholomew's and Prince William's Parishes, for and against the establishment of a Toll Bridge at Salt Ketches, which were ordered for consideration on Monday next.

**Mr. MIDDLETON**, from the Committee of Ways and Means, made reports on

The report of the President of the Charlotte and South Carolina Rail-Road Company, and,

The petition of Jephtha Dyson; which were ordered for consideration on Monday next.

**Mr. ASHMORE**, from the Committee on Claims, made reports on

The account of Dr. W. J. David;

The account of Dr. W. D. Wallace;

The account of Dr. A. W. Kennedy;

The account of Dr. N. Henry;

The petition of Dr. Josiah B. Fishburne;

The account of Dr. John H. Henry;

The petition of Charles McIlwain;

On the account of Norwood & DeLorme;

On the petition of John A. Gyles;

On the petition of Sarah Branch;

On the petition of Lewis R. Sams;

On the account of R. W. Gibbs;

On the account of Dr. C. J. Flinn;

On the account of Drs. T. J. K. & T. A. Dargan, and,

On the accounts of the Charleston Mercury; which were ordered for consideration on Monday next.

On motion of **Mr. ASHMORE**, the Committee on Claims was discharged from the consideration of the account of Dr. A. W. Bethea, for a *post mortem* examination, and it was ordered to lie on the Table.

**Mr. THORNWELL** from the Committee on the Judiciary, to whom had been referred the petition of Catharine McDonald, reported A Bill to vest the right, title, and interest of the State, in the personal Estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald; which was read the first time, and was ordered to be read a second time on Monday next.

Pursuant to notice, and by leave of the House, **Mr. CAUTHEN** introduced A Bill to Charter the Lancaster Rail Road Company, and for other purposes; which was read the first time, and referred to the Committee on Incorporations.

The following Messages were received from the Senate.



IN THE SENATE, NOV. 27th, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate concurs in the proposal of your House, to go into an election for Commissioner in Equity for Williamsburg District, at the same time with the Commissioners for Richland, Union, Laurens, Newberry, Horry, Darlington and Pickers.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen**Of the House of Representatives :*

Senate concurs in the proposal of your House to go into an election for Solicitor of the Northern and Southern Circuits, immediately after the Ballot for Commissioners in Equity.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate then attended and joined the House in a first ballot for Commissioners in Equity for Richland, Union, Laurens, Newberry, Horry, Darlington, Pickens, and Williamsburg; and immediately after in a ballot for Solicitors of the Northern and Southern Circuits.

Pursuant to notice and by leave of the House, Mr. SLOAN introduced a Bill to authorize the State to afford aid in constructing the Pendleton Rail Road; which was read the first time and was referred to the Committee of Ways and Means.

Mr. LEITNER, from the Committee on Internal Improvements, made a Report on the presentment of the Grand Jury of Anderson District, recommending an extension of the Greenville and Columbia Rail Road through the Rabun Gap; which was ordered for consideration on Monday next.

Mr. LEITNER, from the same Committee, to whom had been referred the petition of sundry merchants of Charleston praying a modification of the laws for the inspection of flour, reported a Bill to amend "an Act to provide for the inspection of flour," which was read the first time and ordered to be read a second time on Monday next.

Mr. LEITNER, from the same Committee, to whom had been referred the petition of citizens of Darlington praying for additional legislation to prevent the obstruction of the passage of fish up Lynch's Creek, reported a Bill to prevent obstruction to the passage of fish up Lynch's

Creek; which was read the first time and ordered to be read a second time on Monday next.

Mr. GADSDEN, from the Committee appointed to count the votes cast for Treasurer of the Upper Division on the third ballot, reported that no candidate had received a majority and that consequently there was no election.

The following Message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into a fourth ballot for Treasurer of the Upper Division to-day, immediately after the ballot for Solicitors of the Northern and Southern Circuits.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Pursuant to notice and by leave of the House, Mr. LEITNER introduced a Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the Education of the Deaf and Dumb of this State at Cedar Springs in Spartanburg District; which was read the first time and referred to the Committee on Education.

The Senate then attended and joined the House in a fourth ballot for Treasurer of the Upper Division.

The SPEAKER laid before the House a communication from Mr. John C. Allen, a member of this House from Edgefield District, informing the House that at the time of his election he was a deputy Post Master; but that before he was qualified and took his seat, he had forwarded his resignation to the Post office Department at Washington, and submitting the question of his eligibility to a seat on this floor to the decision of the House; which,

On motion of Mr. TORRE, was referred to the Committee on Privileges and Elections.

Pursuant to notice, and by leave of the House, Mr. TUCKER introduced a Bill to establish Boards of Direction for Common Schools, and for other purposes; which was read the first time, and referred to the Committee on Education.

Pursuant to notice, and by leave of the House, Mr. GADBERRY introduced a Bill to alter and amend the law in relation to the collection of

debts from free persons of color; which was read the first time, and referred to the Committee on the Judiciary.

Mr. GADBERRY gave notice that he will ask leave, on Monday next, to introduce a Bill to alter the sittings of the Courts of Law on the Northern Circuit, and

Also a Bill to alter and amend the law in relation to the granting of licenses to sell spirituous liquors.

Mr. KEITT gave notice that he will ask leave, on Monday next, to introduce a Bill to define the liabilities, duties and obligations of Magnetic Telegraph Companies.

Mr. B. J. JOHNSON gave notice that he will, on Monday next, ask leave to introduce a Bill to incorporate the "Beaufort Female Seminary."

Also, a Bill to incorporate the Beaufort Loan and Building Association.

Mr. READ, from the Committee on Colored Population, made a report on the presentment of the Grand Jury of Union, respecting the guardianship of, and the collection of debts from, free negroes; which was ordered for consideration on Monday next.

Mr. HOPE, from the Committee appointed to count the votes cast for Treasurer, reported that E. P. Jones received eighty-two (82) votes, Abraham Jones forty-two (42) and J. G. Rowman twenty-five (25) and that seventy-five (75) is a majority; whereupon, the SPEAKER announced that Mr. E. P. Jones is elected Treasurer of the Upper Division.

Mr. HEARST, from the Committee appointed to count the ballots for Solicitors of the Northern and Southern Circuits, reported that T. N. Dawkins received one hundred and thirteen (113) votes for Solicitor of the Northern Circuit, and M. L. Bonham received one hundred and thirteen (113) votes for Solicitor of the Southern Circuit, and that 58 is a majority; whereupon, the SPEAKER announced that T. N. Dawkins is elected Solicitor of the Northern, and M. L. Bonham Solicitor of the Southern Circuit.

Mr. ERVIN gave notice that he will ask leave, on Monday next, to introduce a Bill to punish trespasses on real property.

Pursuant to notice, and by leave of the House, Mr. CASH introduced a Bill to alter and amend the license laws of this State; which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Mr. ASHMOBE gave notice that he will ask leave on Monday next to introduce a Bill to reduce the number of petty musters and for other purposes.

Mr. DUNCAN presented the Account of Dr. A. B. Crook for medical services; which was referred to the Medical Committee.

Pursuant to notice and by leave of the House, Mr. CAUTHEN introduced a Bill to alter and amend the Free School Law of this State; which was read the first time and referred to the Committee on Education.

Pursuant to notice and by leave of the House, Mr. MELTON introduced a Bill to exempt the surviving officers and members of the Palmetto Regiment from militia duty; which was read the first time and referred to the Committee on the Military: also a Bill to establish and incorporate a Bank in the town of Chester; which was read the first time and referred to the Committee on Incorporations.

Mr. MELTON gave notice that he will ask leave on Monday next to introduce a Bill to ascertain the will of the people of this State as to the manner in which the election of Electors for President and Vice President of the United States shall be made.

Mr. MELTON gave notice that he will on Monday next move to amend the 60th Rule of this House.

The SPEAKER laid before the House the Report of the Clerk of the House of Representatives respecting the District Maps of the State, which had been ordered to be engraved by Resolution of this House, which report was referred to the Special Committee, charged with re-organizing the Congressional Districts of the State.

Also the Report of the Clerks of the Senate and House on the publication of a Bill to alter the Constitution so as to change the name of the Election District of Saxe Gotha; which was referred to the Committee on the Judiciary.

Mr. MITCHELL gave notice that he will ask leave on Monday next to introduce the following Bills: A Bill to amend an Act entitled "An Act to amend the law in relation to the harboring of deserted seamen;"

A Bill to re-charter the Union Bank;

A Bill to incorporate a new Bank in the City of Charleston; and

A Bill to amend the law in cases of Appeal.

On motion of Mr. KEITT, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet at 12 o'clock, M., on Monday next.

On motion of Mr. KEITT, the House was adjourned at 10 minutes past 4 o'clock, P. M.

## MONDAY, NOVEMBER 29, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The Senate returned to this House, with its concurrence, Resolutions complimentary to Colonel B. Huger, and Resolutions on the death of Captain Stuart, and providing for the presentation of a Sword to his eldest brother.

The Senate sent to this House for its concurrence the report of the Committee on Claims on the account of W. F. Durisoe for public printing; which was referred to the Committee on Claims.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to change the day for the election of and the term of office of the Mayor and Aldermen of the city of Charleston; which was referred to the Charleston Delegation; also,

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina in two lots of land on Charleston "Lines"; which was referred to the Committee on the Judiciary; and,

A Bill to incorporate Johnson Female University; which was referred to the Committee on Incorporations.

Mr. BRADLEY presented the account of A. McCants for necessities furnished to prisoners; also the account of Dr. H. Thorn for services rendered to prisoners; which were severally referred to the Committee on Claims.

Mr. REYNOLDS presented a petition for the renewal of the charter of the Washington Light Infantry, a Volunteer Corps attached to the 16th Regiment, South Carolina Militia; which was referred to the Committee on the Military.

Mr. ASHMORE presented the petition of sundry citizens of Sumter District, praying the re-opening of a road across Lynch's Creek, at Field's Bridge; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. HOWELL presented the memorial to incorporate the Columbia Baptist Church; which was referred to the Committee on Incorporations.

Mr. KING presented the memorial of many citizens of Charleston for change of the time of holding the City Elections; also the memorial of

many citizens of Charleston for extending the term of office of Mayor and Aldermen of Charleston; which were referred severally to the Charleston Delegation.

Mr. BURT presented the petition of sundry citizens of Pendleton District, not to repeal an Act to open a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. SULLIVAN presented the petition of John T. Coleman, praying to be refunded a double tax; which was referred to the Committee of Ways and Means.

The Senate then joined the House in a ballot for a Senator in the Congress of the United States to fill the unexpired term for which the Hon. R. B. Rhett had been elected, terminating on the 4th of March next.

Mr. SEIGLING presented a petition for the incorporation of Zion's Evangelical Lutheran Church; which was referred to the Committee on Incorporations.

Mr. BRADLEY submitted the presentment of the Grand Jury of Williamsburg District, for Fall Term, 1852;

So much as recommends an appropriation for additions to the Court House, was referred to the Committee on Public Buildings, and,

So much as recommends an increase in the pay of Jurors, and that State witnesses be paid, was referred to the Committee on the Judiciary.

Mr. CHRISTIE presented the petition of the "Edgefield Flying Artillery," praying for an Act of Incorporation, and exemption from ordinary Regimental and Battalion Musters; which was referred to the Committee on the Military.

Mr. GREEN presented the account of W. J. Francis, proprietor of the Sumter Banner, for public printing; which was referred to the Committee on Claims.

Mr. MOORER presented the report of the Commissioners of Free Schools for St. George's Dorchester, for the year 1852; which was referred to the Committee on Education.

Mr. FOX presented the account of Isaac Vansant, Sheriff of Lexington District, for blankets furnished the Jail of said District; which was referred to the Committee on Claims.

Mr. CHARLES presented the petition of sundry citizens of Darlington District, praying for the establishment of a new election precinct in said District; which was referred to the Committee on Privileges & Elections, and,

Also, the petition of sundry citizens of Darlington District, praying the

appointment of an additional Magistrate in Beat No. 4; which was referred to the Committee on District Officers and Offices.

Mr. GREEN, from the Committee appointed to count the votes, on the first ballot for Commissioners in Equity, reported, That

For Laurens, Mr. Campbell received 99 votes; and,

Mr. Simpson, 59 votes.

For Union, Mr. Goudelock received 152 votes.

For Newberry, Mr. Williams received 152 votes.

For Richland, Mr. Pearson received 150 votes; and

Mr. Adams received 3 votes.

For Horry, Mr. Beatty received 152 votes.

For Pickens, Mr. Ross received 88 votes; and,

Mr. Johnston received 62 votes.

For Williamsburg, Mr. Thorn received 71 votes.

For Darlington, Mr. Evans received 151 votes; and,

Seventy-eight votes being a majority, Messrs. Campbell, of Laurens, Goudelock, of Union; Williams, of Newberry; Pearson, of Richland; Beatty of Horry; Ross of Pickens and Evans of Darlington, are duly elected. That Henry Thorn of Williamsburg, not having received a majority of the votes cast, there is consequently no election for Williamsburg District—the House considered and agreed to the report.

The following Message was received from the Senate in which the House concurred and an answer was returned :

IN THE SENATE, Nov. 29, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into a second ballot for Commissioner in Equity for Williamsburg District, to-day, at 2 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

On motion of Mr. MULLINS, the House then proceeded to the consideration of sundry Bills to provide for the appointment of Electors of President and Vice President of the United States, introduced by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw, and McCrady, which had been made the Special Order of the day for this day at 1 o'clock, P. M., in Committee of the whole House.

Mr. KEITT moved that the special order be discharged, and that

the said Bills be made the special order of the day for Thursday next, at 1 o'clock, P. M., in Committee of the whole House.

Mr. J. B. CAMPBELL moved to amend the motion by striking out the words "Thursday next, at 1 o'clock, P. M.," and inserting the words "this evening, at six o'clock, P. M.," and, the question being put, will the House agree to the amendment? it was decided in the negative.

Ayes, 21—Nays, 85.

The Yeas and Nays were requested and are as follows:

Those who voted in the affirmative are:

Messrs. Alexander,  
Anderson,  
Blakeney,  
Boylston,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Clarke,  
Crosson,  
Hope,  
Hunt,

Messrs. W. R. Johnson,  
McGowan,  
Patterson,  
Pitts,  
Rosborough,  
Shedd,  
Steele.  
Sullivan,  
Trenholm, and  
Winsmith:

Those who voted in the negative are:

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen

Ashmore,  
Bailey,  
Beaty,  
Blum,  
Boykin,  
Brown,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clawson,  
Gaines,

Messrs. Cruikshank,

Cureton,  
Dean,  
Duncan,  
Elliott,  
Ellis,  
Erwin,  
Flagg,  
Fox,  
Gadberry,  
Gadsden,  
Garlington,  
Hammond,



Messrs. Hampton,  
Harrison,  
Haskell,  
Hearst,  
Howell,  
Hudgens,  
Hutson,  
J. I. Ingram,  
B. J. Johnson,  
A. R. Johnston,  
Jordan,  
Keitt,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,  
Lesesne,  
McBee,  
McCrady,  
McKnight,  
Manigault,  
Maybin,  
Melton,  
Middleton,  
Mitchell,  
Mobley,  
Moorer,  
Morgan,

Messrs. Mullins,  
Munro,  
Murray,  
Owens,  
B. F. Perry,  
J. B. Perry,  
Pickens,  
Poppenheim,  
Porchet,  
Read,  
Reynolds,  
Rice,  
Seabrook,  
Seigling,  
Sinkler,  
Sloan,  
Springs,  
Stokes,  
Thomson,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Vance,  
Walker,  
Wallace,  
Weatherly,  
Wescoat, and  
Witherspoon.

Messrs. Burnet and Wagner, who were absent when the vote was taken, were permitted to record the vote they would have given, if present, and their names having been called for that purpose, they severally answered in the negative.

The House then agreed to Mr. KEITT'S motion.

Mr. HASKELL presented the petition of Benjamin Perry, Secretary of State, praying compensation for services rendered; which was referred to the Committee on Claims.

Mr. WAGNER presented the petition of the Mount Pleasant Ferry

Company, praying for the establishment of a ferry between Haddrell's Point and Sullivan's Island: which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. CAMPBELL presented the petition of Edwin Willing and others, citizens of Charleston and land owners on Comings' Creek, praying that said creek may be closed; which was referred to the Charleston Delegation.

Mr. MELTON presented the petition of sundry citizens of York District against opening a new road; which was referred to the Committee on Road, Bridges and Ferries.

Mr. MIDDLETON from the Committee of Ways and Means made reports on

The account of the disbursement of the Transient Poor Fund in Georgetown; and on

The abstract of expenditures for City and Transient Poor of Charleston for the year 1852; which were ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, to whom were referred the petitions of the inhabitants of Moultrieville, and of house owners and residents of Moultrieville, reported A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the town of Moultrieville, and to remove all obstructions in such streets; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same Committee, to whom was referred the petition of citizens of Cokesbury, praying an Act of incorporation, reported a Bill to incorporate the village of Cokesbury; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same Committee, made reports

On a Bill to incorporate the "Columbia Gas Light Company";

On a Bill to charter the Lancaster Rail Road Company, and for other purposes;

On a Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature; and,

On the petition of the members of the Bedon's Baptist Church, and the counter petition of Richard B. Bedon; which were severally ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the consideration of a Bill to establish and incorporate a

Bank in the town of Chester, and the same was referred to the Committee of Ways and Means;

Also from the consideration of the memorial of James Jones and Joseph J. Kennedy; and,

Of the petition of J. P. Hillhouse; and the same were severally referred to the Committee on Roads, Bridges and Ferries.

The Senate then attended and joined the House in a second ballot for Commissioner in Equity for Williamsburg District.

Mr. MCGOWAN, from the Committee on the Military, to whom had been referred the petition of the "Carolina Blues," reported a Bill to authorize the formation of a Volunteer Company within the limits of the twenty-third Regiment of Infantry; which was read the first time and ordered to be read the second time to-morrow.

Mr. MCGOWAN, from the same Committee, to whom had been referred a Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty; and the presentment of the Grand Jury of Colleton, presenting as a grievance Militia Company Musters; and also a Resolution directing an enquiry into the expediency of modifying the duties of the Adjutant and Inspector General, and as to the expediency of reducing his salary and that of the Quarter Master General, made reports; which were severally ordered for consideration to-morrow.

Mr. GADBERRY, from the same Committee, made a report upon a Bill to restore the law authorizing the appointment of Sutlers at muster grounds, upon certain conditions; which was ordered for consideration to-morrow.

Mr. RICE, from the Committee on Roads, Bridges and Ferries, to whom had been referred the petition of William Langston, reported a Bill to allow William Langston to hawk and peddle in Union District, without the payment of the tax now imposed by law; which was read the first time, and ordered to be read the second time to-morrow.

Mr. DEAN, from the Committee on Claims, made reports

On the account of Norwood & DeLorme;

On the account of W. H. Trimmier;

On the account of W. W. Purse; and

On the account of the Southern Rights Advocate; which were severally ordered for consideration to-morrow.

Mr. HUTSON, from the Committee on the Judiciary, to whom had been referred the presentments of the Grand Juries of Charleston for

Spring and Fall terms, 1852, relating to grants of vacant land, and recommending that prosecutors pay costs in frivolous prosecutions, and that security be required in cases of appeal, made a Report and reported a Bill to amend the law in cases of appeal, which was read the first time and was ordered to be read a second time to-morrow.

Mr. HUTSON, from a minority of the same Committee, made a Report on the petition of citizens of York District praying a repeal of the Homestead Law, which was ordered for consideration to-morrow.

Mr. HUNT, from the same Committee, to whom had been referred a Bill to regulate the future issuing of grants of land, made a report; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, made a report on so much of the Governor's Message, No. 1, as relates to the imprisonment of colored seamen; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of the Palmetto State Banner, and

On the account of Dr. T. C. Lanier; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Thomas J. Eccles, and the same was ordered to lie *on the Table*, and

Also on the account of Dr. J. S. Crane.

Mr. MAYBIN obtained leave to withdraw the account of Dr. J. S. Crane.

Mr. REYNOLDS, from the Charleston Delegation, to whom had been referred the Memorial of the City Council of Charleston, reported a Bill to alter and amend the Charter of the City of Charleston, so as to make the election of Mayor and Alderman biennial, and fixing the time for the first Wednesday in November; which was read the first time and ordered to be read the second time to-morrow.

Mr. REYNOLDS, from the same Committee, to whom had been referred the memorial of the City Council of Charleston, reported a Bill to amend the Charter of the City of Charleston in relation to the qualification of voters at City Elections for Mayor and Alderman; which was read the first time and ordered to be read the second time to-morrow.

On motion of Mr. REYNOLDS the Charleston Delegation was discharged from the consideration of the petition of the Liberty Fire Engine Company of Charleston and the memorial of the City Council of Charles-

ton, praying for and against the incorporation of the said Company; and Mr. Reynolds obtained leave to withdraw the petition and memorial.

Mr. SULLIVAN, from the Committee on Education, made a report on A Bill to alter and amend the law in relation to the Education of the Deaf and Dumb of this State; which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee appointed to count the ballots cast for a Senator in the Congress of the United States, to fill the unexpired term of the Hon. R. B. Rhett, till the fourth day of March next, reported, That W. F. DeSaussure received 106 votes, and that 74 is a majority. Whereupon the SPEAKER announced that William F. DeSaussure is duly elected.

Pursuant to notice, heretofore given, and on motion of Mr. HUNT, the 53d rule of this House was amended, by adding thereto the following words: "Except, that the Standing Committees may order to be printed for their use such papers as shall be referred to them."

Pursuant to notice and by leave of the House, Mr. GARLINGTON introduced A Bill to establish and incorporate a Bank in the Town of Newberry; which was read the first time and referred to the Committee of Ways and Means.

Mr. HAMPTON gave notice that he will ask leave, to-morrow, to introduce A Bill to authorize the South Carolina Rail Road Company to build a certain Bridge over Congaree River.

Pursuant to notice and by leave of the House, Mr. McGOWAN introduced A Bill for the establishment of a general system of registration of Births, Marriages and Deaths; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. ERVIN introduced A Bill to punish trespasses on real property; which was read the first time and referred to the Committee on the Judiciary.

Mr. CROSSON gave notice that he will ask leave to-morrow to diminish the duties and reduce the salary of the Adjutant and Inspector General.

Pursuant to notice and by leave of the House, Mr. ASHMORE introduced A Bill to reduce the number of petty musters, and for other purposes; which was read the first time and referred to the Committee on the Military.

Pursuant to notice and by leave of the House, Mr. BATES introduced A Bill to alter the 97th Section of the Militia Law of this State, so as to authorize Colonels of Regiments to appoint their own Collectors of Fines;

which was read the first time and referred to the Committee on the Military.

Mr. ALLEN gave notice that he will, to-morrow, ask leave to introduce A Bill giving to the officers, commanding companies, the right to hold courts martial for the trial of all defaulters for Company and Patrol duty, within their respective commands.

Mr. B. F. PERRY presented the petition of Samuel A. Townes, asking a subscription on the part of the State to the publication of "The Lives and Sketches of eminent South Carolinians;" which was referred to the Committee on Education.

Mr. B. F. PERRY gave notice that he will, to-morrow, ask leave to introduce A Bill to vest all the right, title and interest of the State in and to a certain lot situated in the town of Greenville, in Willis Allen.

Mr. GARLINGTON gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the laws concerning the office, duties, and liabilities of Sheriffs.

Pursuant to notice and by leave of the House, Mr. TORRE introduced a Bill to incorporate the German Artillery Company and Charitable Society of Charleston; which was read the first time and referred to the Committee on the Judiciary.

Mr. MUNRO gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend an Act, entitled "An Act to regulate the sitting of the Courts of Appeals, and for other purposes."

On motion of Mr. TRADEWELL, ordered that when this House adjourn it shall be adjourned to meet at 12 o'clock, M. to-morrow.

Pursuant to notice and by leave of the House, Mr. J. B. PERRY introduced a Bill to amend the third Section of an Act entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified on the 20th day of December, 1850; which was read the first time and referred to the Committee of Ways and Means.

Also a Bill to prohibit the selling of spirituous liquors to free persons of color; which was read the first time and referred to the Committee on Colored Population.

#### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence:

Reports of the Committee on Claims:

On the account of Britton & Mickle ;  
 On the account of Dr. P. M. Wallace ;  
 On the petition of Dr. Josiah B. Fishburne ;  
 On the account of Dr. B. T. Yarborough ;  
 On the account of Dr. John J. Bossard ;  
 On the petition of the Palmetto Standard ;  
 On the account of Dr. W. W. Smith ;  
 On the account of Dr. W. W. Smith ;  
 On the account of Dr. W. H. Hagood ;  
 On the petition of A. Lites ;  
 On the account of Dr. David M. Laffitte ;  
 On the accounts of Charleston Courier ;  
 On the account of R. M. Stokes ;  
 On the petition of Dr. S. B. Graham ; and  
 On the account of Dr. T. W. Thompson.

A Resolution to instruct the Committee on Vacant Offices to inquire if the office of United States Senator be vacant, and a Resolution directing the Committee on Education to inquire if there be a Professor in the South Carolina College a consolidationist or an abolitionist, were ordered to lie on the Table.

The following unfavorable reports were considered and agreed to :

Reports of the Committee on Claims ;  
 On the petition of Massena Taylor ;  
 On the account of Dr. Irby Dunklin ; and  
 On the petition of Dr. L. B. Johnson.

The Report of the Committee on Claims on the petition of F. N. Garvin, on motion of Mr. B. F. PERRY, was recommitted to the same Committee.

On motion of Mr. THOMSON, the House was adjourned at 17 minutes past 4 o'clock, P. M.

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TUESDAY, NOVEMBER 30, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House for concurrence the following Reports and Resolutions :

Reports of the Committee on Claims on

The account of Harrison & Norris for public printing;

The account of W. W. Purse for work done in the Senate Chamber;

The account of the Charleston Mercury for public printing; which were severally referred to the Committee on Claims;

A Resolution providing for sending certain books from the Legislative Library to the Mercantile Library of Charleston; which was referred to the Committee on the Legislative Library;

A Resolution providing that the Governor apply the unexpended balance of the sum appropriated for publishing Mr. Calhoun's works, to the publication of his Life and Speeches; which was referred to the Committee on Federal Relations; and,

The Resolution in relation to claims for public printing; which was referred to the Committee on Claims.

The Senate also sent to this House the following Bills which were read the first time :

A Bill to release to Catharine McDonald all the right and interest of the State to certain property;

A Bill to confer certain rights on the Hebrew Congregation in the City of Charleston, in relation to a piece of land by them held; and,

A Bill to release the right and interest of the State in certain property to Levi Gibson; which were severally referred to the Committee on the Judiciary; and,

Also a Bill to amend an Act entitled "An Act to provide for the inspection of Flour"; which was referred to the Committee on Agriculture.

Mr. OWENS presented the petition of J. D. Aiken, Attorney of Robert Martin, praying to be refunded a double tax; and,

Mr. HAMMOND, the petition of Stockholders of the Bank of Hamburg, South Carolina, praying a renewal of their charter; which were severally referred to the Committee of Ways and Means.

Mr. MAYBIN presented the petition of William Farmer, for himself and the other heirs of Thomas Farmer, praying payment of arrears of pension due the said deceased; which was referred to the Committee on Pensions.

Mr. J. B. PERRY presented the petition of J. M. Ford, in behalf of Robert Hopton, a free person of color, praying an exemption from the usual tax, in consideration of services rendered the Palmetto Regiment



in Mexico; which was referred to the Committee on Colored Population.

Mr. BROYLES presented the petition of the officers and members of Shady Grove Baptist Church, in Anderson District, praying incorporation; which was referred to the Committee on Incorporations.

Mr. RICE presented the petition of James K. Brandon and others, citizens of Union, asking the Legislature to require the more prompt and certain delivery of freight by Rail Road Companies; which was referred to the Committee on Grievances.

Mr. B. J. JOHNSON presented the petition of the trustees of the Beaufort Female Seminary, praying an Act of incorporation; which was referred to the Committee on Incorporations.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred the petition of William H. Trapp, reported a Bill to vest in William H. Trapp the exclusive right to navigate Little River, which was read a first time and ordered to be read a second time to-morrow.

Mr. SULLIVAN from the Committee on Education, to whom was referred the petition of Mrs. E. F. Ellett, made a report, which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom the presentment of the Grand Jury of Union, relative to the practice of negroes conducting religious worship at other places than on their masters' plantations, made a report, which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, to whom was referred the petition of the Commissioners of Public Buildings for Chester District, made a report, which was ordered for consideration to-morrow.

Mr. B. J. JOHNSON, from the Committee appointed to count the votes cast on the second ballot for Commissioner in Equity for Williamsburg District, reported that Mr. H. Thorn received 110 votes, and that 58 is a majority, whereupon the SPEAKER announced that H. Thorn is duly elected.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred the memorial of the City Council of Charleston, praying increase of appropriation for Transient Poor, made a report; which was ordered for consideration to-morrow.

Mr. MELTON, from the Committee on Incorporations, to whom had been referred A Bill from the Senate, to Incorporate Johnson Female

University; made a report which was ordered for consideration to-morrow.

Mr. MITCHELL, from the Committee on the Judiciary, to whom had been referred the petition of J. J. Gibson, made a report, which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports on

The account of Dr. H. Thorn;

The account of Johnston & Cavis;

The account of W. F. Durisoe;

The account of A. McCants;

The account of L. M. Grist;

The account of B. C. Pressly;

The report of the Comptroller General on the account of William Blackledge; and

On the account of W. J. Francis; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Thomas J. Ganett; and Mr. SEIGLING obtained leave to withdraw the same; and,

From the consideration of the petition of Jesse E. Dent, which Mr. MAYBIN obtained leave to withdraw.

Mr. WILLIAMS, from the Committee on Pensions to whom had been referred the petition of George W. Dorn, made a report; which was ordered for consideration to-morrow.

Mr. REYNOLDS, from the Charleston Delegation, made reports,

On a Bill from the Senate to change the day for the election of and term of office of the Mayor and Aldermen of the City of Charleston; and,

On the petition of sundry citizens, praying that Little Coming's Creek be closed up, and also a counter petition thereto; which was ordered for consideration to-morrow.

Pursuant to notice and by leave of the House, Mr. B. F. PERRY introduced A Bill to vest all the right, title and interest of the State in and to a certain lot of land, situated in the town of Greenville, in Willis Allen; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. CROSSON introduced A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General; which was read the first time and was referred to the Committee on the Military.

Mr. LEITNER from the Committee on Internal Improvements to whom had been referred the petitions of sundry citizens of Barnwell District, for and against the declaring Tinker's Creek navigable; and, also, the presentment of the Grand Jury of Barnwell, recommending that all streams in the said District capable of being made navigable, be declared so; Reported A Bill to declare a certain description of streams navigable, and for other purposes, which was read the first time and ordered to be read the second time to-morrow.

Mr. LEITNER presented the petition of Bivings & Clenland for medical services; which was referred to the Medical Committee.

Mr. KEITT, from the Committee appointed to count the votes cast on the first ballot for Senator in the Congress of the United States, for the Term commencing the 4th of March, 1853, reported that no candidate had received a majority and that consequently there is no election.

On motion of Mr. ASHMORE, a Message was sent to the Senate, proposing to go forthwith into a second ballot for Senator in the Congress of the United States.

Pursuant to notice and by leave of the House, Mr. GREEN introduced A Bill to amend the Charter of the Wilmington and Manchester Rail Road Company; which was read the first time and referred to the Committee on Internal Improvements.

Pursuant to notice and by leave of the House, Mr. MULLINS introduced A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Mr. MULLINS gave notice that he will to-morrow ask leave to introduce A Bill to Charter a Bank at Marion Court House.

Pursuant to notice and by leave of the House, Mr. HUNT introduced A Bill to extend the Charter of the Bank of the State of South Carolina; which was read the first time and made the special order of the day for Friday next, at 1 o'clock, P. M., in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. HUNT introduced the following Bills; which were read the first time and were referred to the Committee on the Judiciary;

A Bill to provide for the more perfect and prompt Administration of Justice, and,

A Bill to provide for carrying cases from Circuit Courts of Law to the Appeal Court and providing for bills of exceptions.

The following Message was received from the Senate:

IN THE SENATE, NOV. 30, 1852.

*Mr. Speaker and Gentlemen**Of the House of Representatives :*

Senate concurs in the proposal of your House to go forthwith into a second ballot for United States Senator.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate then attended and joined the House in the second ballot for United States Senator.

Pursuant to notice and by leave of the House, Mr. MITCHELL introduced a Bill to amend an Act entitled "An Act to amend the law in relation to the harboring of deserted seamen"; which was read the first time and referred to the Committee on the Judiciary; also

A Bill to incorporate the Farmers' and Exchange Bank of Charleston, and

A Bill to renew the charter of the Union Bank of South Carolina; which were read the first time, and severally referred to the Committee of Ways and Means.

Mr. MITCHELL gave notice that he will, to-morrow, ask leave to introduce a Bill to amend the charter of the North Eastern Rail Road Company.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree river; which was read the first time and referred to the Committee on Internal Improvements.

Pursuant to notice and by leave of the House, Mr. ANDERSON introduced a Bill to prevent the marital rights of the husband from attaching to the estates of married women; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice, Mr. MELTON moved to amend the second, third and fourth clauses of the 60th Rule of this House, so as to read as follows: 2. The SPEAKER shall call in alphabetical order of judicial districts, for petitions, memorials, presentments of grand juries, returns of Commissioners, and such like papers, to be presented by members and disposed of—the call to be resumed each day where it was interrupted on the day previous.

2. The SPEAKER may on any day, and shall on Tuesdays and Fridays, call for reports of Committees, first the Standing Committees, in the or-

der in which they stand in the 18th Rule of this House, and then the Special Committees.

4. The SPEAKER shall call in alphabetical order of judicial districts, for resolutions, bills, or motions, to be presented by individual members—the call each day to be resumed where interrupted on the day previous.

The question being put, “Will the House agree to the motion to amend? Tellers were called for, and the House divided. Messrs. Middleton and Hunt were appointed to count the votes, who reported 69 in the affirmative and 11 in the negative. Two-thirds of the members present concurring therein, the 60th Rule was altered accordingly.

Mr. KERSHAW, from the Committee appointed to count the votes cast on the second ballot for a Senator in the Congress of the United States, reported that no candidate having received a majority there was consequently no election.

The following message was received from the Senate; which was concurred in, and an answer was returned.

IN THE SENATE, Nov. 30, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate proposes to your House to go forthwith into a third ballot for United States Senator.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

On motion of Mr. HUNT, Resolutions submitted by him on the 26th inst., declaratory of the principles on which Charters to private banks shall be granted, and which had been made the special order of the day for this day at 1 o'clock, P. M., were called for consideration: and,

On motion of Mr. HUNT, the special order was discharged, and said resolutions were made the special order of the day, for Friday next, at 1 o'clock, P. M., in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. ALLEN introduced A Bill to give to the officers commanding companies, the right to hold Courts martial for the trial of all defaulters for Company and Patrol duty within their respective limits; which was read the first time and referred to the Committee on the Military.

Mr. POPPENHEIN submitted the following resolution, which was ordered for consideration to-morrow.

*Resolved.* That this House will adjourn its present Session on Tuesday the 14th day of December, *proximo*, and that a message be sent to the Senate asking their concurrence in this Resolution :

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders.

The following reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims.

On the Account of William L. Pickett ; and,

On the Account of J. J. Atwood.

The Senate then attended and joined the House in a third ballot for Senator of the United States.

The General Orders were then resumed.

The following Reports were considered and agreed to.

Reports of the Committee on Claims.

On the petition of Bartlett Red and Samuel Webb.

On the petition of Dr. J. N. Lawrence.

On the petition of Charles H. Allen, and,

On the petition of George Denson :

Report of the Committee on the Judiciary on the presentments of the Grand Juries of Union, Barnwell, Sumter, Newberry, Kershaw and Abbeville, respecting a penitentiary, and carrying concealed weapons, and recommending an increase of the Magistrates' jurisdiction.

Report of the Committee of Ways and Means on so much of the presentment of the Grand Jury of Union, as relates to a poll tax and a tax in aid of Rail Roads ; and,

Reports of the Committee on Internal Improvements,

On the petition of citizens of Williamsburg, asking aid to deepen a Cut from Lynch's Creek to Pee Dee River ; and,

On the presentment of the Grand Jury of Sumter District, in relation to the embankment over the Santee Swamp at Vance's Ferry.

A Bill in relation to the execution of slaves and free persons of color, was read the second time and ordered to be sent to the Senate.

A Bill to alter and amend the Constitution, so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits was read the second time, and the question being put, will the House agree thereto ? it passed in the affirma-

tive, two-thirds of the whole Representation in this House agreeing thereto.

Yeas, 99—Nays, —.

Those who voted in the affirmative are :

The Honorable JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Blum,

Boylston,

Bradley,

Brown,

Broyles,

Burnet,

Burt,

Byrd,

R. E. Campbell,

Carwile,

Cash,

Cauthen,

Charles,

Christie,

Clarke,

Clawson,

Cooner,

Cruikshank,

Cureton,

Dantzler,

Dean,

Duncan,

Durant,

Elliott,

Ellis,

Ervin,

Flagg,

Messrs. Fox,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hampton,

Harrison,

Haskell,

Hearst,

Hope,

Hudgens,

Hutson,

J. I. Ingram,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

Keitt,

Kershaw,

King,

Lanneau,

McBee,

McCrary,

McGowan,

Manigault,

Maybiu,

Melton,

Middleton,

Mitchell,

Mobley,

Moorer,

Mullins,

Murray,

**Messrs. Owens,**

Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Seigling,  
 Shedd,  
 Sloan,

**Messrs. Steele,**

Stokes,  
 Sullivan,  
 Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Wallace,  
 Weatherly,  
 Wescoat,  
 Williams,  
 Winsmith, and  
 Witherspoon.

On motion of Mr. TUCKER, leave of absence was granted to Mr. WINSMITH for the remainder of the session, on account of the sickness of his family.

The General Orders were then resumed.

A Bill providing compensation for Managers of Election was read a second time.

Mr. LEITNER moved to fill the blank in said Bill, allowing compensation to said Managers, at one dollar per diem; and the question being put, Will the House agree thereto? it was decided in the negative. The yeas and nays were required, and are as follows:

Yeas, 41—Nays, 71.

Those who voted in the affirmative are, the

Hon. JAMES SIMONS, Speaker, and

**Messrs. Bates,**

Blakeney,  
 Bradley,  
 Byrd,  
 Cauthen,  
 Clawson,  
 Cooner,  
 Cureton,

**Messrs. Durant,**

Elliott,  
 Ellis,  
 Ervin,  
 Gadberry,  
 Green,  
 Hampton,  
 Hearst,



Messrs. Hope,  
 Hutson,  
 J. I. Ingram,  
 B. J. Johnson,  
 A. R. Johnston,  
 Jordan,  
 Keitt,  
 King,  
 Leitner,  
 Lesesne.  
 McCrady,  
 McGowan,

Messrs. McKnight,  
 Maybin,  
 Mitchell,  
 Muaro,  
 Owens,  
 J. B. Perry,  
 Stokes,  
 Trotti,  
 Tucker,  
 Vance,  
 Weatherly, and  
 Witherspoon.

Those who voted in the negative are,

Messrs. Alexander,  
 Allen,  
 Anderson,  
 Ashmore,  
 Bailey,  
 Beaty,  
 Blum,  
 Boykin,  
 Boylston,  
 Brown,  
 Broyles,  
 Burnet,  
 Burt,  
 R. E. Campbell,  
 Carwile,  
 Charles,  
 Christie,  
 Clarke,  
 Crosson,  
 Cruikshank,  
 Dantzler,  
 Dean,  
 Duncan,  
 Flagg,  
 Fox,  
 Gadsden,

Messrs. Garlington,  
 Gourdin,  
 Hammond,  
 Harrison,  
 Haskell,  
 Howell,  
 Hudgens,  
 Tillman Ingram,  
 W. R. Johnson,  
 Kershaw,  
 Lanneau,  
 Lawton,  
 McBee,  
 Manigault,  
 Melton,  
 Middleton,  
 Mobley,  
 Moorer,  
 Mullins,  
 Patterson,  
 B. F. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,

Messrs. Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Seigling,  
 Shedd,  
 Sloan,  
 Steele,  
 Sullivan,  
 Thomson,

Messrs. Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Wagner,  
 Walker,  
 Wallace,  
 Wescoat and  
 Williams.

On motion of Mr. THOMSON, the further consideration of the Bill was indefinitely postponed.

On motion of Mr. TILLINGHAST, ordered, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

At 40 minutes past 3 o'clock, P. M., Mr. TILLINGHAST moved that the House should be adjourned; and the question being put, Tellers were called for and the House divided. Messrs. Tillinghast and John I. Ingram were appointed to count the House, who reported 52 in the affirmative and 59 in the negative. So the House refused to adjourn.

Mr. LAWTON, from the Committee appointed to count the votes cast for a Senator in the Congress of the United States, on the third ballot, reported that no candidate had received a majority, and that consequently there is no election.

On motion of Mr. OWENS, a message was ordered to be sent to the Senate proposing to go into a fourth ballot for United States Senator, to-morrow at half-past 12 o'clock, P. M.

A Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce, was called for a second reading, and the House agreed to the report of the Committee on the Judiciary, recommending that said Bill do not pass.

The following reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims,

On the account of Dr. John W. Ogilvie;

On the account of Dr. N. H. Johnson;

On the account of Dr. W. E. Miller;

On the petition of Dr. J. N. Lawrence;

On the account of V. Little;

On the account of J. J. Rowe; and,

On the account of Dr. J. H. Boatwright;

Resolutions from the Senate, providing for the presentation of a Sword to Col. Benjamin Huger; were ordered to *lie on the Table*.

The House considered and agreed to the report of the Committee of Ways and Means,

On the petition of Weyhe & Wessels; and the same was ordered to be sent to the Senate for concurrence.

A Bill to open and extend Pitt-street, in the town of Mount Pleasant, to Hibben-street, was read the second time and ordered to be sent to the Senate.

On motion of Mr. VANCE, the House was adjourned at 57 minutes past 3 o'clock, P. M.



### WEDNESDAY, DECEMBER 1, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. LAURENS, a member elect from St. Thomas and St. Dennis, appeared, produced his credentials, was sworn, and took his seat.

The SPEAKER laid before the House the following communication:

*To the Hon. James Simons,*

*Speaker of the House of Representatives of South Carolina:*

SIR—Yesterday, after the adjournment of the House, my attention was called to a circumstance that is supposed by some to impair my right to hold a seat on this floor, and I consider it my duty to lay the facts before the House for their consideration and action.

About ten years ago, I received the appointment for the Port of Charleston of Vice Consul of the two Sicilies, a European power. The appointment was made by the Consul General of that Government in this country, by letter, and to the best of my knowledge and belief, no Exequatur has issued to me by the Government of the United States. Since my appointment, I have been called upon to perform but four or five official acts, and for five years past do not remember to have performed any. I have not received any letters or other communications from the Government of the Two Sicilies or the Consul General for six or seven years, nor have I ever received any compensation or emolument of office. Du-

ring the late political disturbances in Europe, that Government was interrupted by revolutionary difficulties, and I have ascertained, since my attention was called to this matter, that the Consul General in this country has been changed. I have never formally resigned the appointment, but never having been called upon for so many years to perform any act under it, when informed of my election, (which took place during my absence in England,) and when I qualified, I did not remember my connexion with it. Immediately as my attention was called to it yesterday, I addressed a letter to the new Consul General at New York, enquiring if the office has been discontinued, or my connexion with it, and at what time this took place. If the office exists, and I am regarded as being still the incumbent, I requested that my letter should be considered as my resignation.

I find, on examination, that in the list of Foreign Consuls and Vice Consuls, furnished by the State Department to the American Almanac, dated September, 1851, my name appears as one of the Vice Consuls of the Two Sicilies, and I yesterday wrote to that Department to know if an Exequatur had ever been issued to me.

I have the honor to be, with great respect,

Your obedient servant,

G. A. TRENHOLM.

Columbia, December 1, 1852.

Which was referred to the Committee on Privileges and Elections.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to repeal all Acts and parts of Acts authorising Ordinaries to take possession of, and administer on, derelict estates; and,

A Bill to amend an Act, entitled "An Act to amend the law in relation to the harboring of deserted seamen; which were severally referred to the Committee on the Judiciary; and,

A Bill to amend the law in relation to Sheriffs; which was referred to the Committee on District Officers and Offices.

Mr. OWENS presented the claim of Dr. J. O. Hagood for *post mortem* examination; and,

Also the account of the Palmetto Sentinel for public printing; which were referred to the Committee on Claims.

Mr. TILLINGHAST presented the petition of the Delegation from Beaufort District, on behalf of the citizens of the said District, praying aid in the construction of Bridges and causeways over Coosawhatchie Swamp

and Cypress Creek; which was referred to the Committee on Roads, Bridges & Ferries; and

Also the account of William Youman's, Sheriff of Beaufort District, for Blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. TORRE presented the Report of the Vestry of the Parish Church of St. James, Goose Creek, respecting the Ludlow School Fund; which was referred to the Committee on Education.

Mr. LESESNE presented a petition for the Incorporation of the Church Home; which was referred to the Committee on Incorporations.

Mr. PORCHER presented the Return of the Commissioners of Free Schools for St. Stephen's Parish, for the year 1852; which was referred to the Committee on Education.

Mr. CAMPBELL presented the petition of the New England Society, praying a renewal of the act of their Incorporation; which was referred to the Committee on Incorporations.

Mr. BLAKENEY presented the account of Dr. A. Mallory, for *post mortem* examinations; which was referred to the Committee on Claims.

Mr. CASH presented the petition of the town council of Cheraw, praying an amendment of the Charter of the said town; which was referred to the Committee on Incorporations.

Mr. HASKELL presented the return of the Commissioners of Free Schools for St. Paul's Parish for the year 1852; which was referred to the Committee on Education.

Mr. MOORER presented the petition of sundry citizens of Orange & St. George's, Dorchester, praying that Cattle's Creek may be declared a public highway; which was referred to the Committee on Roads, Bridges & Ferries.

Mr. HAMMOND presented the petition of John E. McDonald & Tully F. Sullivan, praying for an equitable settlement of a debt due to the State; which was referred to the Committee of Ways & Means.

Mr. FLAGG presented the petition of sundry citizens of All Saints, praying to abolish the poll at Sterritts' Swamp; which was referred to the Committee on Privileges and Elections.

Mr. MUNRO presented the petition of B. E. Sessions, Coroner of Horry District, praying to be repaid for money advanced by him, to defray the burial expenses of William Milligan, who came to his death by violence,

Mr. KERSHAW the account of Thomas J. Warren for public printing,

Mr. HUDGENS, the petition of Gabriel South, for remuneration for a Slave executed, and

Mr. CROSSON, the petition of B. J. Ramage, Clerk of the Court for Newberry District, praying payment for office rent; which were severally referred to the Committee on Claims.

Mr. DANTZLER presented the Return of Commissioners of Free Schools of St. Matthew's Parish, for the year 1852; which was referred to the Committee on Education.

Mr. MAYBIN presented the petition of Jesse E. Dent, praying payment of an account against the State; which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of John J. Kinsler, in relation to the Saluda and Columbia Canals; which was referred to the Committee on Internal Improvements.

Mr. DEAN presented the petition of sundry citizens of the Town of Spartanburg, praying that additional powers may be given to the Town Council of Spartanburg; which was referred to the Committee on Incorporations;

And also, the petition of J. R. Poole, praying payment for blankets, and so forth, furnished the Spartanburg Jail:

Mr. ASHMORE presented the account of Bryan & McCarter, for books and stationery furnished the Secretary of State, the Surveyor General, and the Courts of Appeal; and also the account of Gilbert & Fraser, for public printing; which were, severally, referred to the Committee on Claims.

Mr. J. I. INGRAM presented the petitions of sundry citizens of Clarendon, praying for and against a new road; which were referred to the Committee on Roads, Bridges and Ferries.

Mr. GREEN presented the petition of sundry citizens of Sumter District, praying the removal of obstructions to the free passage of fish up Lynch's Creek; which was referred to the Committee on Internal Improvements.

Mr. CLAWSON presented the account of Thomas J. Eccles, for public printing; and

Also, the account of Dr. J. R. Barrett, for medical services rendered the Catawba Indians; which were severally referred to the Committee on Claims.

The following message was received from the Senate, was concurred in, and an answer was returned:

IN THE SENATE, December 1, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives.*

Senate proposes to your House, to go, forthwith, into a fourth ballot for United States Senator.

By order of the Senate,

ROBT. F. W. ALLSTON, President

Mr. B. F. PERRY, from the Committee on the Judiciary, to whom had been referred A Bill to punish trespasses on real property, made a report; which was ordered for consideration to-morrow.

The Senate then attended and joined the House in a fourth ballot for United States Senator.

Mr. McGOWAN, from the Committee on the Military, to whom had been referred so much of the Message No. 2, of his Excellency, the Governor, as relates to the Board and Major of Ordnance, reported A Bill to alter and amend an Act, entitled "An Act to provide for the defence of the State; which was read a first time, and ordered to be read the second time to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the presentments of the Grand Juries of Charleston, recommending an alteration in the present Jail of that District;

On the petition of the Commissioners of Public Buildings for Richland District, praying leave to remove the Jail, and to sell a portion of the Jail lot; and on

The presentment of the Grand Jury of Abbeville, and the memorial of the Commissioners of Public Buildings for the same district; which were ordered for consideration to-morrow.

Mr. J. B. PERRY, from the Committee on Incorporations, to whom had been referred the petitions of sundry citizens of the Village of Bluffton, reported A Bill to incorporate the Village of Bluffton, in St. Luke's Parish, South Carolina; which was read the first time and was ordered to be read a second time, to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been referred the memorial of the Commercial Insurance Company, reported A Bill to amend an Act entitled "An Act to incorporate the Commercial Insurance Company; which was read the first time and ordered to be read the second time, to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been

referred the petition of the Trustees of the Beaufort Female Seminary, reported a Bill to incorporate the Beaufort Female Seminary; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been referred the petitions of the Beaufort and Columbia Building and Loan Associations, reported a Bill to incorporate the Beaufort and Columbia Building and Loan Associations; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. B. PERRY, from the same Committee, made reports;

On A Bill to incorporate the German Artillery Company and Charitable Society of Charleston;

On the petition of the inhabitants of Adam's Run, praying for an Act of Incorporation; and,

On petitions of sundry citizens of Lancaster, praying the Incorporation of Providence Baptist Church, and Flat Creek Church, in said District; which were severally ordered for consideration to-morrow.

Mr. McBEE, from the Committee appointed to count the votes on the fourth ballot, for Senator in the Congress of the United States, reported that the Hon. Josiah J. Evans received 86 votes, and that 77 is a majority; Whereupon the SPEAKER announced that the Hon. Josiah J. Evans is elected a Senator in the Congress of the United States for the Term commencing 4th March, next.

Mr. READ, from the Committee on the Colored Population, to whom were referred so much of the presentments of the Grand Juries of Charleston and Georgetown Districts, as relates to the unlawful traffic with slaves, reported,

A Bill in relation to the qualification of Jurors and for other purposes, and,

A Bill to alter and amend the amendment of the Constitution of this State, ratified on the 19th day of December, in the year of our Lord one thousand eight hundred and ten; which were severally read the first time, and ordered to be read the second time to-morrow.

Mr. KEITT, from the Committee on District Officers and Offices, to whom was referred so much of the presentment of the Grand Jury of Sumter, as recommends an increase in the jurisdiction of Magistrates, reported A Bill to alter and amend an Act, entitled "An Act concerning the office and duties of Magistrates," which was read the first time and ordered to be read the second time to-morrow.

Mr. KEITT, from the same Committee, made a report on the petition



of sundry citizens of Pickens District, praying for an additional magistrate; which was ordered for consideration to-morrow.

Mr. CURETON, from the Committee on Grievance, made reports on

The presentment of so much of the Grand Jury of Colleton, as relates to the power of assessment bestowed on the Commissioners of the Poor and of Public Buildings; and,

On the practice of burning the woods and old fields; and,

On so much of the presentment of the Grand Jury of Abbeville, as relates to the practice of horse racing on public roads; which were ordered for consideration to-morrow.

Mr. WILLIAMS, from the Committee on Pensions, made reports on

The petition of James D. Mansfield;

The petition of Nancy Bailey; and,

The petition of Matthew Abbot; which were ordered for consideration to-morrow.

On motion of Mr. WILLIAMS, the Committee on Pensions was discharged from the consideration of the petition of Milly Ward, and Mr. DUNCAN obtained leave to withdraw the same.

On motion of Mr. WILLIAMS, the same Committee was discharged from the consideration of so much of the presentment of the Grand Jury of Abbeville as relates to the proper mode of maintaining public paupers.

Mr. BRADLEY, from the Medical Committee, made a report on the account of Dr. A. B. Crook, which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom was referred so much of the Governor's Message, No. 2, as relates to a new Map of the State, made a report, which was ordered for consideration to-morrow.

The SPEAKER laid before the House the report of the Comptroller General on a Resolution of enquiry on the subject of Rail Road Stock held by the State; which was referred to the Committee of Ways and Means; and, on motion of Mr. MIDDLETON, was ordered to be printed.

Mr. KEITT, from the Special Joint Committee appointed to re-organize the Congressional Districts of this State, reported a Bill to arrange this State into Districts for the election of Representatives in the Congress of the United States, and for other purposes; which was read the first time and made the special order of the day for Saturday next, at 1 o'clock, P. M.

On motion of Mr. VANCE, the Reporter of the Due West Telescope was allowed a seat on the floor of this hall.

Pursuant to notice and by leave of the House, Mr. MITCHELL introduced a Bill to alter and amend an Act entitled "An Act to incorporate the North Eastern Rail Road Company; which was read the first time and referred to the Committee on Incorporations.

Mr. J. B. CAMPBELL gave notice that he will ask leave to-morrow to introduce a Bill to establish the line of the channel of Ashley River adjacent to the city of Charleston.

Mr. MELTON submitted the following Resolution; which was ordered for consideration to-morrow :

*Resolved*, That the Committee on Internal Improvements be directed to inquire into the condition of the Rocky Mount Canal, whether the same can be made to subserve any State purposes, and if not, whether the same can be advantageously sold for manufacturing or other purposes, and that they have leave to report to the next session of this House by Bill or otherwise.

Mr. HAMMOND gave notice that he will ask leave to-morrow to introduce A Bill to permit Joseph R. Breare, an alien, to apply for admission to practice in the Courts of Law & Equity in this State.

Mr. CLARKE gave notice that he will ask leave to-morrow to introduce A Bill to alter and amend so much of the 10th Section of the 1st article of the Constitution as relates to two days election for members of the Senate and House of Representatives.

On motion of Mr. READ,

*Resolved*, That the Committee on the Judiciary be instructed to inquire into and report on the expediency of reducing the amount of the Sheriff's bond for Georgetown District, as now required by Law.

Mr. DUNCAN submitted the following Preamble and Resolution, which were ordered for consideration to-morrow :

Whereas, the Free School appropriation for some of the Parishes and Districts of this State has under various pleas, been drawn contrary to the spirit and meaning of the Acts of Assembly of 1822 & 1823. Therefore

*Resolved*, That the Treasurer's of this State as well as the Comptroller General, shall in every instance require a strict conformity with the provisions of said Acts, any local custom or usage to the contrary, notwithstanding.

Pursuant to notice and by leave of the House, Mr. MUNRO introduced A Bill to alter and amend an Act entitled "An Act to regulate the sitting

of the Courts of Appeals, and for other purposes," which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. KERSHAW introduced A Bill to aid in the construction of a plank road from Camden to some point or points on the North Carolina line, in the direction of Munroe, Concord and Charlotte, in that State ; which was read the first time and referred to the Committee of Ways and Means.

Mr. PITTS gave notice that he will ask leave to morrow to introduce A Bill to compel each District and Parish in this State to pay the expenses of their contested Elections, for members of either branch of the Legislature, which may hereafter occur.

Pursuant to notice and by leave of the House, Mr. KEITT introduced A Bill to define the obligations and duties of companies, owning or working lines of Magnetic Telegraph, within the limits of South Carolina ; which was read the first time and referred to the Committee on the Judiciary.

Mr. HAMPTON submitted the following Resolution which was ordered for consideration to-morrow :

*Resolved*, That the Committee on the State House and Grounds be instructed to inquire into the expediency and cost of lighting the State House and Grounds with Gas.

On motion of Mr. TRADEWELL, the Reporter of the "Family Friend" was allowed a seat on the floor of this Hall.

Mr. LEITNER obtained leave to withdraw the account of Drs. Bivings & Cleland.

On motion of Mr. WALLACE, the Reporter of the Yorkville Remedy was allowed a seat on the floor of this House.

Mr. CLAWSON obtained leave to withdraw the account of Thomas J. Eccles.

Pursuant to notice and by leave of the House, Mr. CLAWSON introduced A Bill to amend an Act, entitled " An Act to increase the amount of property exempt from levy and sale ; which was read the first time and referred to the Committee on the Judiciary.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders

A Bill to alter the Constitution of this State so as to divide Pendleton District into two Election Districts, was read the second time.

Mr. B. F. PERRY moved to strike out the following clause of the Bill.

"The General Assembly shall have no power to divide any Election District for judicial purposes, unless by a vote of two thirds of both branches of two successive Legislatures;" and, after discussion thereon,

On motion of Mr. ASHMORE the debate was adjourned to 2 o'clock, P. M., to-morrow.

On motion of Mr. GREEN it was ordered, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. GREEN the House was adjourned at 12 minutes past 4 o'clock, P. M.

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THURSDAY, DECEMBER 2, 1852.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House the following Reports:

Report of the Committee on Commerce, Manufactures and the Mechanic Arts, on the memorial of the officers and directors of the South Carolina Institute; which was referred to the Committee on Internal Improvements;

Report of the Committee on the Judiciary on the memorial of the Clerk of the Court of Appeals at Columbia, asking an increase of compensation; which was referred to the Committee on the Judiciary;

Reports of the Committee on Claims and Grievances on the account of the Charleston Mercury for printing; on accounts of the Carolinian, for public printing, and on other accounts of the Carolinian for printing done for the State; which were severally referred to the Committee on Claims.

Report of the Committee on the Military and Pensions, on the petition of Delilah Williams for arrears of pension; which was referred to the Committee on Pensions.

Mr. HEARST presented the petition of the Philomathian Literary Society of Erskine College, praying an act of incorporation; which was referred to the Committee on Incorporations.

Mr. BLAKENEY presented the petition of John C. Coit and others, praying for the grant of a right to construct a free bridge across the Pee

Dee river near Cheraw; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN presented a petition praying the incorporation of the "Bethlehem Church Camp Ground," in Edgefield District; which was referred to the Committee on Incorporations.

Mr. MOBLEY presented the petition of sundry citizens of Edgefield District, praying a Charter for a new road, leading from Martin McCartney's to Jackson Holmes, and also a counter petition thereto of sundry other citizens

Mr. CHARLES presented the petition of Daniel Hughey, praying for a renewal of the charter to a ferry over the waters of Broad River.

Mr. DUNCAN presented the petition of the citizens of North Carolina, praying that a certain road down the middle fork of the Saluda may be opened and chartered, and

Mr. B. F. PERRY the petition of the City Council of Augusta, praying for the renewal of the Charter of the Augusta Bridge; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. CURETON submitted the presentment of the Grand Jury of Lancaster for Fall Term, 1852.

So much as recommends but one day of Election for members of the Legislature, and

So much as recommends a change in the time for electing members of Congress; were referred to the Committee on Privileges and Elections, and

So much as recommends an increase of the appropriation to Free Schools, was referred to the Committee on Education.

Mr. GARLINGTON presented the petition of E. P. Lake, Ordinary of Newberry District, praying to be paid rent for office, which was referred to the Committee on Claims

Also the petition of the Commissioners of Public Buildings of Newberry District, praying an appropriation to build a new Jail; which was referred to the Committee on Public Buildings.

Mr. McKNIGHT presented the petition of sundry citizens of Williamsburg District, in reference to the killing of deer in the said District; which was referred to the Committee on Grievances.

Mr. MAYBIN presented the petition of the Commissioners of Free Schools of the Town of Columbia; which was referred to the Committee on Education.

Mr. MIDDLETON from the Committee of Ways and Means, to whom

had been referred the memorial of, and A Bill to grant additional aid in the construction of the Spartanburg and Union Rail Road, made a report, which was ordered for consideration to-morrow ; and

Reported a Bill to alter and amend an Act, entitled " An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, which was read the first time, and ordered to be read a second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred

A Bill to alter and amend the law in relation to the collection of debts, from free persons of color,

A Bill to secure planters and factors from frauds, under pretence of cash sales of produce ; and

A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary ; and also

The petition of Michael Lorick ; made reports, which were ordered for consideration to-morrow.

Mr. HUTSON from the same Committee, to whom had been referred A Bill to declare and amend the Law in relation to the words of limitation in Deeds and Wills ; made a report which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred

A Bill to amend the Charter of the Wilmington and Manchester Rail Road Company, and

A Bill to authorize the South Carolina Rail Road Company, to build a certain bridge over Congaree River, made reports, which were ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims made reports

On the account of Dr. J. H. Thompson ;

On the petition of Benjamin Perry ;

On the account of W. W. Purse ;

On the petition of J. R. Poole ;

On the account of Bryan & McCarter ;

On the account of Thomas J. Warren ;

On the account of Thomas J. Eccles ;

On the petition of Gabriel South ;

On the account of Gilbert & Fraser ;

On the Senate's Resolution in relation to claims for public printing ;

On the petition of Jesse E. Dent ;

On the claim of Dr. J. O. Hagood ;

On the account of Dr. A. Malloy ;

On the petition of B. E. Sessions ; and,

On the report of the Senate's Committee on the account of Harrison & Norris ; which were ordered for consideration to-morrow.

Mr. ASHMORE, from the same Committee, made an unfavorable report on the petition of B. J. Ramage ; which was ordered to be considered immediately, and was agreed to.

Mr. GARLINGTON obtained leave to withdraw the said petition.

Mr. MCGOWAN, from the Committee on the Military, to whom had been referred

The petitions of the Edgefield Flying Artillery, and the Washington Light Infantry, and the following Bills :

A Bill to alter and amend the 97th section of the Militia Law of this State, so as to authorize Colonels of Regiments to appoint their own Collectors of Fines ;

A Bill to give to the officers commanding Companies the right to hold Courts Martial for the trial of all defaulters for company and patrol duty, within their respective limits ;

A Bill to reduce the number of petty musters, and for other purposes ; and,

A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General ; made reports, which were ordered for consideration to-morrow.

Mr. CROSSON, from the same Committee, made a report of a minority of the Committee, on a Bill to diminish the duties and reduce the salary of Adjutant and Inspector General ; which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports on the petition of the Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House of said District ;

On the presentment of the Grand Jury of Orangeburg District, Fall Term, 1852, on the necessity of an appropriation to enlarge and improve the Court House of said District ;

On the presentment of the Grand Jury of Williamsburg, Fall Term, 1852, recommending the enlargement of the Court House of said District ; which were ordered for consideration to morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report on the petition for an Act to incorporate the town of Walhalla; which was ordered for consideration to-morrow.

Mr. POPPENHEIM, from the same Committee to whom had been referred the petition of sundry citizens, praying an Act of incorporation of the Insurance Company of Charleston, reported a Bill to incorporate the Carolina Mutual Insurance Company of Charleston; which was read the first time, and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the Committee on Education, to whom had been referred A Bill to alter and amend the Free School Laws of this State, made a report which was ordered for consideration to-morrow; and, reported

A Bill to alter and amend the Free School Laws of this State; which was read the first time and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the same Committee, to whom had been referred

A Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg District; and,

A Bill to establish Boards of Direction for Common Schools and for other purposes; made reports which were ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom had been referred the petition of Robert Hopton, reported A Bill to exempt Robert Hopton, a free person of color, from the Capitation Tax; which was read the first time and ordered to be read the second time to-morrow.

Mr. CURETON, from the Committee on Grievances, to whom was referred so much of the presentment of the Grand Jury of Georgetown, as relates to the use of decoys and nets for ducks and fish, made a report which was ordered for consideration to-morrow.

The SPEAKER announced that Mr. Laurens is added to the Committee on Agriculture, and to the Committee on Colored Population.

The SPEAKER laid before the House the following communication :

COLUMBIA, December 2, 1852.

*To the Hon. James Simons,*

*Speaker of the House of Representatives :*

DEAR SIR,—Having been notified that I have been elected to represent this State in the Senate of the United States, I take the earliest opportunity to signify to the Legislature, my acceptance of that appointment.



This of course vacates my office as one of the Law Judges of the State.

I have the honor to be, most respectfully,  
Your obd't serv't,

JOSIAH J. EVANS.

Which was referred to the Committee on Vacant Offices

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry Bills prescribing the manner in which Electors for President and Vice President shall be elected, submitted by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw and McCrady, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. McGOWAN introduced the following resolution; which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the Hon. Mr. Miller, President of the Senate of the State of Georgia be invited to a seat on this floor.

Mr. McGOWAN gave notice that he will to-morrow ask leave to introduce A Bill to alter and amend an "Act to ascertain and define the powers, duties, and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices.

Mr. WAGNER introduced the following resolution, which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the SPEAKER appoint the usual Committee on the State House and Grounds, and, that a message be sent to the Senate to request that body to appoint a similar Committee to act with the Committee of this House.

The SPEAKER appointed the following gentlemen of the Committee. Messrs. Wagner, Hunt and Keitt, and a message was sent accordingly.

Mr. J. B. CAMPBELL introduced the following resolutions, which were ordered to be considered immediately, to be printed, and to be made the special order of the day, for Friday next, at 1 o'clock, P. M.

*Resolved*, That the Banking Capital already invested in the Chartered Banks of this State ought not to be diminished, and, that existing Bank Charters, where no abuse of their chartered privileges, or violation of duty is charged, ought to be renewed, but where there are, or hereafter shall

be, two or more banks, in the same town or city, it is good policy that the amount of capital stock of each shall be the same.

*Resolved*, That it is against sound policy, to encourage by chartered privileges, or otherwise, the aggregation of capital for the purpose of sending it abroad, to be engaged in adventures in no wise connected, except in rivalry with the Agriculture, Commerce or Manufactures of this State.

*Resolved*, That the practice of sending abroad a large portion of our banking Capital, periodically, each year, for the purpose of dealing or speculating in bills of exchange, based upon the purchase of produce and merchandize, which never reaches any market in this State, would necessarily cause periodical contraction and expansion in banking affairs, prejudicial to mercantile enterprizes and to our great agricultural staples; and that such practice ought to be prevented by provisions in all future bank charters to be granted or renewed by this General Assembly.

Pursuant to notice and by leave of the House, Mr. J. B. CAMPBELL introduced A Bill to establish the line of the Channel of Ashley River adjacent to the City of Charleston, and progress having been made in the first reading thereof, on motion of Mr. ASHMORE, the House proceeded to the consideration of the

### GENERAL ORDERS,

and resumed the debate on a Bill to divide Pendleton into two Election Districts.

The question recurring on Mr. B. F. PERRY'S motion to strike out the following clause,

The General Assembly shall have no power to divide any Election District for Judicial purposes, unless by a vote of two-thirds of both branches of two successive legislatures.

Mr. MIDDLETON moved to strike out the words "of two successive legislatures;" which passed in the affirmative.

The question was then put, "will the House agree to Mr. B. F. PERRY'S motion to strike out the clause," which passed in the affirmative.

Mr. TILLINGHAST submitted the following amendment:

"The future division of an Election District for Judicial purposes, shall not be construed to give a claim to a corresponding division into Election Districts."

On motion of Mr. THOMSON the amendment was ordered to *lie on the Table*.

The Bill was then read the second time, and the question being put.

Will the House agree thereto? it passed in the affirmative, two-thirds of the whole representation in the House of Representatives agreeing thereto.

Ayes, 91—Nays, 25.

Those who voted in the affirmative are:

The Hon. JAMES SIMONS, Speaker, and

|                    |                   |
|--------------------|-------------------|
| Messrs. Alexander, | Messrs. Gadberry, |
| Allen.             | Garlington,       |
| Anderson,          | Gourdin,          |
| Ashmore,           | Green,            |
| Bates,             | Hammond,          |
| Beaty,             | Hampton,          |
| Blakeney,          | Harrison,         |
| Blum,              | Hearst,           |
| Boykin,            | Hope,             |
| Boylston,          | Howell,           |
| Bradley,           | Hudgens,          |
| Brown,             | J. I. Ingram,     |
| Broyles,           | W. R. Johnson,    |
| Burt,              | Jordan,           |
| Ryrd,              | Kershaw,          |
| J. B. Campbell,    | Lanneau,          |
| R. E. Campbell,    | Leitner,          |
| Carwile,           | Lesesne,          |
| Cash,              | McBee,            |
| Cauthen,           | McCrady,          |
| Charles,           | McGowan,          |
| Christie,          | McKnight,         |
| Clarke,            | Maybin,           |
| Clawson,           | Melton,           |
| Crosson,           | Middleton,        |
| Cruikshank,        | Mitchell,         |
| Cureton,           | Mobley,           |
| Dean,              | Morgan,           |
| Duncan,            | Mullins,          |
| Durant,            | Munro,            |
| Ervin,             | Owens,            |
| Fox,               | Patterson,        |

Messrs. B. F. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sloan,  
 Springs,  
 Steele,  
 Sullivan,

Messrs. Thomson,  
 Thornwell,  
 Torre,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly,  
 Williams, and  
 Witherspoon.

Those who voted in the negative are :

Messrs. Bailey,  
 Burnet,  
 Cooner,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden,  
 Haskell,  
 Hutson,  
 B. J. Johnson,  
 A. R. Johnston,  
 King,  
 Laurens,

Messrs. Lawton,  
 Manigault,  
 Moorer,  
 Murray,  
 J. B. Perry,  
 Porcher,  
 Read,  
 Seabrook,  
 Sinkler,  
 Stokes,  
 Tillinghast, and  
 Wescoat.

The Bill was then ordered to be sent to the Senate.

Mr. B. J. JOHNSON, from the Committee of the whole House, to whom had been referred sundry Bills, providing for the election of Electors of President and Vice President of the United States, reported that the Committee had made progress therein, and asked leave to sit again on Tuesday next, at 1 o'clock, P. M.

On motion of Mr. B. J. JOHNSON, leave was granted to the Committee to sit again on Tuesday next, at 1 o'clock, P. M.

The following message was received from the Senate, which, on motion of Mr. TRADEWELL, was ordered to *lie on the Table*.

IN THE SENATE, December, 2, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go into an election for a Law Judge, to fill the vacancy occasioned by the acceptance of the Hon. Josiah J. Evans of the office of United States Senator, to which he has been elected, on Saturday next, at half past 12 o'clock, M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, *Ordered*, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. ASHMORE, the House was adjourned at 40 minutes past 4 o'clock, P. M.

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FRIDAY, DECEMBER 3, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

The Senate returned to this House with their concurrence the following reports:

Reports of the Committee on Claims ;

On the account of R. M. Stokes ;

On the petition of Dr. Josiah B. Fishburne ;

On the account of Britton & Mickle ;

On the petition of the Palmetto Standard, and the report of the Committee of Ways and Means on the petition of Weyhe and Wessels.

The Senate sent to this House for concurrence the following reports:

Of the Committee on the Library on the memorial of G. E. Walker and John Johnson, asking aid in the publication of a Map of the State, and the message of the Governor in relation thereto; which was referred to the Committee on the Legislative Library ;

Of the Committee on the Military and Pensions on the petition of Robert Hopton, a free person of color, praying exemption from capitation tax ; which was referred to the Committee on Colored Population ; and

Of the Committee on Claims and Grievances, on the account of Isaac

Vansant, for blankets furnished the jail of Lexington District; which was referred to the Committee on Claims, and

A Resolution for additional distribution of 1st volume of Mr. Calhoun's works, to members of the Legislature; which was referred to the Committee on Federal Relations, and

Also a Resolution for the adjournment of the General Assembly; which was ordered for consideration to-morrow.

The Senate also sent to this House the following Bills; which were read the first time.

A Bill to incorporate the town of Bluffton; which was referred to the Committee on Incorporations;

A Bill to punish assaults committed with concealed weapons; and

A Bill to declare and amend the law in relation to words of limitation in Deeds and Wills; which were severally referred to the Committee on the Judiciary, and

A Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road; which was referred to the Committee of Ways and Means.

The following message was received from the Senate:

IN THE SENATE, Dec. 2, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate asks leave of your House to amend the report of the Committee on Claims of your House on the account of the Charleston Courier for public printing, by allowing the following charges which were rejected by the Committee of your House, viz: for advertising presentments of Grand Jury of Charleston District, of \$5 85, and for advertising Courts of Appeals, order of Dockets, of \$3 90, amounting together to nine dollars and seventy-five cents; and by striking out "twenty-five 18-100 dollars" and inserting in lieu thereof thirty-four dollars and ninety-three cents.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House refused to grant leave to the Senate to make the amendment, and a message was sent accordingly.

The House resumed the reading of, and read the first time a Bill, introduced yesterday by Mr. J. B. CAMPBELL, to establish the line of the channel of Ashley river adjacent to the city of Charleston; which was referred to the Charleston Delegation.

Mr. HEARST presented the petition of S. B. Cook, William B. Dorn,

and other citizens of Abbeville and Edgefield Districts, praying for the opening of a public road, and

Mr. WAGNER the petition of sundry citizens of Mount Pleasant, praying that a charter be not granted to the Mount Pleasant Ferry Company for the establishment of a ferry between Haddrell's Point and Sullivan's Island; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MITCHELL presented the Memorial of sundry citizens of Charleston. members of the "Charleston Club," for an Act of Incorporation; which was referred to the Committee on Incorporations.

Also, the petition of Samuel Hart and others, members of the Jewish Congregation Shearit, Israel, praying that the Legislature will not vest in the members of Beth Elohim, the exclusive right in the Jewish Cemetery; which was referred to the Committee on the Judiciary.

Mr. BLAKENEY presented the Report of the Board of Direction of the Cheraw and Anson Plank Road Company; which was referred to the Committee of Ways and Means.

Mr. CASH presented the account of James Powell, for public printing; which was referred to the Committee on Claims.

Mr. CHRISTIE presented the petition of the Commissioners of Public Buildings for Edgefield District, praying further aid in building the New Jail; which was referred to the Committee on Public Buildings.

Mr. MIDDLETON presented the return of the Commissioners of Free Schools for Winyah, for the year 1852; and

Mr. MULLINS presented the return of the Commissioners of Free Schools for Marion District; which were severally referred to the Committee on Education.

Mr. MULLINS also presented the report of the Wilmington and Manchester Rail Road Company; which was referred to the Committee of Ways and Means, and ordered to be printed.

Mr. GARLINGTON presented the petition of sundry citizens of Frog Level, and others, praying an amendment of their charter of Incorporation; which was referred to the Committee on Incorporations.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of J. E. McDonald, and T. F. Sullivan; and

On the petition of J. T. Coleman; which were ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred

A Bill to authorise the State to aid in the construction of the North Eastern Rail Road, made a report ; which was ordered for consideration to-morrow ; and reported A Bill to release from pledge the rail road shares belonging to the State ; which was read the first time, and ordered to be read the second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred A Bill to provide for the more perfect and prompt administration of justice, made a report, which was ordered for consideration to-morrow.

Mr. BOYLSTON, from the same Committee, to whom had been referred the petition of James Fuller, reported A Bill to authorise the conveyance of lots, numbered 29 and 30, in the town of Columbia, to James Fuller, upon certain considerations ; which was read the first time, and was ordered to be read a second time to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports on

The report of the Senate Committee, on Claims, on the accounts of the *Charleston Mercury*, for printing done for the State.

The report of the Senate Committee on Claims on the accounts of the proprietors of the *Charleston Mercury* for printing.

The report of the Senate's Committee on Claims on other accounts of the proprietors of the *South Carolinian* for printing done for the State.

The petition of E. P. Lake.

The report of the Senate Committee on Claims, on the accounts of the proprietors of the *South Carolinian*, for printing done for the State ; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of Isaac Vansant, and

Mr. FOX obtained leave to withdraw the same ;

Also from the consideration of the account of William Youman, Sheriff of Beaufort District, and,

Mr. TILLINGHAST obtained leave to withdraw the same ; and,

Also from the consideration of the account of the *Palmetto Sentinel* ; and

Mr. OWENS obtained leave to withdraw the same.

Mr. OWENS from the Committee on Roads, Bridges, and Ferries, made reports on

A Bill to alter and amend the License Laws of this State ;

The petition of sundry citizens of Clarendon, praying for a new road ;

The petition of sundry citizens of Anderson District, for the continuance of a road ;



The petition of the Board of Commissioners of St. James' Santee, praying an alteration in the Road Law ;

The petition of sundry citizens of Edgefield District, praying the opening of a new road ;

The petition of the Delegation from Beaufort District, praying the construction of certain bridges and causeways ;

The petition of C. J. Gaffney ; which were ordered for consideration to-morrow.

On motion of Mr. OWENS the Committee on Roads, Bridges and Ferries, was discharged from the consideration of the petition of sundry citizens of Orange and St. George's Dorchester, praying that Cattle's Creek may be declared a public highway, and the same was referred to the Committee on Internal Improvements.

The House reconsidered the vote ordering the report of the Committee on Roads, Bridges and Ferries, on the petition of C. J. Gaffney, to be considered to-morrow, and the same was recommitted to the same Committee.

Mr. McCRADY, from the Committee on Incorporations, to whom had been referred the memorial of sundry citizens, praying for a charter to construct a Rail Road from Hamburg up the Valley of the Savannah, connecting with the Rabun Gap Rail Road, and for branches from the same, reported,

A Bill to provide for the formation of the Savannah River Valley Rail Road Company ; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. P. PERRY, from the same Committee to whom had been referred A Bill to incorporate the " Fireman's Insurance Company of Charleston," made a report ; which was ordered for consideration to-morrow.

Mr. MELTON, from the same Committee to whom had been referred A Bill to incorporate the Johnson Female University, made a report ; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, to whom had been referred the presentments of the Grand Juries of Lancaster, Sumter, Abbeville, Kershaw, Newberry, Beaufort, Charleston and Richland Districts, in relation to Free Schools, made a report ; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom had been referred A Bill to prohibit the selling of spirituous liquors to free

persons of color, made a report ; which was ordered for consideration to-morrow.

Mr. DUNCAN, from the Committee on Agriculture, made reports on A Bill to amend an Act, entitled " An Act to provide for the Inspection of Flour;" and

On the petition of the Greenwood Agricultural Society, praying the transfer of certain funds ; which were, severally, ordered for consideration, to-morrow.

Mr. LANNEAU, from the Committee on Vacant Offices, to whom had been referred the resignation of the Hon. Josiah J. Evans, made a report; which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom had been referred a resolution from the Senate, providing for sending certain books from the Legislative Library, to the Mercantile Library Association of Charleston, made a report; which was ordered for consideration to-morrow.

The following message was received from the Senate :

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the Message from your House, informing Senate that your House has appointed Messrs. Wagner, Hunt and Keitt, a Committee on the State House and Grounds, and informs your House that it has appointed Messrs. Bull, Bedon and Goodwyn, a Committee to act jointly with the Committee of your House.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate, and was ordered to lie on the Table.

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate informs your House that the President of the Senate has appointed Professor Williams of the South Carolina College, to fill the vacancy occasioned by the death of Col. James Gregg, in the commission which was appointed under the joint resolution of last Session, to take charge of the Fire Proof Building now under construction.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The following resolution, submitted by Mr. TORRE, was ordered to be considered immediately, and was agreed to :

*Resolved*, That two hundred (200) copies of the 60th Rule, as recently amended, be printed for the use of the House.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the whole House, Mr. McGOWAN in the Chair, and proceeded to the consideration of

1. A Bill to extend the charter of the Bank of the State of South Carolina.

2. Resolutions declaratory of the principles on which charters to private Banks should be granted ; and

3. Resolutions respecting the principles of banking, and suggesting provisions to be inserted in Bank charters hereafter to be granted ; which had been made the Special Order of the day, for this day at 1 o'clock, P. M. and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

On motion of Mr. CLAWSON, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. CLAWSON, the House was adjourned at half past 4 o'clock, P. M.

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### SATURDAY, DECEMBER 4, 1852.

At the hour to which the House was adjourned the Clerk called the Roll, when the Speaker took the Chair, and a quorum being present the Journal of yesterday's proceedings was read.

The Senate returned to this House with their concurrence the following Reports :

Of the Committee on Claims ;

On the account of Dr. P. M. Wallace ;

On the account of J. J. Atwood ;

On the account of V. Little ;

On the account of J. J. Rowe.

The Senate sent to this House for concurrence the report of the Committee on the Lunatic Asylum and Medical Accounts, on the accounts of Dr. George Pelzer for two *post mortem* examinations, and the report of

the same Committee on the account of Dr. J. M. Carr for a *post mortem examination*; which were severally referred to the Medical Committee.

The Senate also sent to this House the following Bills, which were read the first time:

A Bill to incorporate the "Columbia Gas Light Company;" which was referred to the Committee on Incorporations, and

A Bill to incorporate the Exchange Bank in the town of Columbia; which was referred to the Committee of Ways and Means.

Message No. 4 was received from His Excellency the Governor, as President of the Board of Trustees of South Carolina College, and read by his private Secretary Col. Beaufort T. Watts, inviting the General Assembly to attend the Commencement of that Institution on Monday next; which was referred to the Committee on Education.

The SPEAKER, under the amendments of the 60th Rule of this House, called in alphabetical order the several judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners and such like papers, when

Mr. SLOAN presented the Returns of Commissioners of Free Schools for Anderson District for 1852; which was referred to the Committee on Education.

Mr. REYNOLDS presented the account of Dr. J. Ford Prioleau for medical services; and

Mr. W. R. JOHNSON, the account of James Twing for defraying the burial expenses of S. W. Arnold; which were severally referred to the Committee on Claims.

Mr. W. R. JOHNSON also presented the account of Dr. J. R. McQueen for medical services and a *post mortem examination*; which was referred to the Medical Committee.

Mr. WILLIAMS presented the petition of sundry citizens of York District for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MCGOWAN, from the Committee of the whole House, to whom had been referred a Bill to extend the Charter of the Bank of the State of South Carolina;

Resolutions declaratory of the principles on which Charters to private Banks should be granted; and

Resolutions respecting the principles of banking and suggesting provisions to be inserted in Bank Charters hereafter to be granted, made a Re-

port, recommending that the Bill referred to them do pass; which was ordered for consideration on Monday next.

Mr. MCGOWAN, from the same Committee, reported that they had made progress in the consideration of the Resolutions referred to them, and asked leave to sit again to-day at 2 o'clock P. M., and on motion of Mr. MCGOWAN, leave was granted to the Committee to sit again.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred a Bill to amend the third Section of an Act, entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified December 20, 1850, made a Report; which was ordered for consideration on Monday next.

Mr. MIDDLETON, from the same Committee, to whom had been referred A Bill to authorize the State to afford aid in constructing the Pendleton Rail Road, made a Report; which was ordered for consideration on Monday next, and reported a Bill to authorize the State to aid in the construction of the Pendleton Rail Road; which was read the first time and was ordered to be read the second time on Monday next.

Mr. MIDDLETON, from the same Committee, to whom had been referred a Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road, made a report which was ordered for consideration on Monday next, and reported a Bill to authorize the State to grant aid in the construction of the Cheraw & Darlington Rail Road; which was read the first time and ordered to be read the second time on Monday next.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred a Bill from the Senate, to release the right and interest of the State in certain property, to Levi Gibson, made a report; which was ordered for consideration on Monday next.

Mr. BOYLSTON, from the same Committee, to whom had been referred a Bill to alter and amend an Act to regulate the sittings of the Courts of Appeals and for other purposes, and a Bill to provide for carrying cases from the Circuit Courts of Law to the Appeal Court, and providing for bills of exceptions, made reports; which were ordered for consideration on Monday next.

Mr. BOYLSTON, from the same Committee, to whom had been referred a Bill further to amend the law in relation to Sheriffs, and

A Bill to fix the term of office of all persons officially entitled to receive the money of citizens and to secure more perfectly money in the hands of public officers, made reports; which were ordered for consideration on

Monday next, and reported a Bill to secure a more perfect accountability on the part of Public Officers, which was read the first time and ordered to be read the second time on Monday next.

Mr. HUNT, from the same Committee, made reports on a Bill to abolish the laws against Usury ;

On the report of the Clerks of the Senate and House of Representatives on the Saxe Gotha Bill ; and

On the memorial of the Clerk of the Court of Appeals at Columbia ; which were ordered for consideration on Monday next.

Mr. B. F. PERRY, from the same Committee, to whom had been referred a Bill to alter and arrange the times of the sitting of the Courts of Equity in the fifth Circuit, made a report ; which was ordered for consideration on Monday next.

Mr. LEITNER, from the Committee on Internal Improvements, made reports

On the memorial of William Lawton and others, and on the report of the Senate on the memorial of the officers and directors of the South Carolina Institute ;

On the petition of sundry citizens of Orange and St. George's, praying that Cattle's Creek be declared a public highway ; and

On the petition of sundry citizens of Williamsburg in reference to the killing of deer in said District ; which were ordered for consideration on Monday next.

Mr. CHARLES, from the Committee on Public Buildings, made a report on the memorial of the Commissioners of Public Buildings of Anderson District, praying an appropriation, made a report ; which was ordered for consideration on Monday next.

Mr. JOSIAH B. PERRY, from the Committee on Incorporations to whom was referred A Bill from the Senate to incorporate the town of Bluffton, made a report, which was ordered for consideration on Monday next.

Mr. KING, from the same Committee, made reports on the petitions for the Incorporation of ' Bethlehem Church Camp Ground,' in Edgefield District, and

On the petitions of the Town Council of Cheraw ; sundry citizens of Laurens ; Axe Company of Charleston Neck ; and of William Reynolds and others for incorporation of the Hibernian Benevolent Society ; which were ordered for consideration on Monday next.

Mr. REED, from the Committee on Colored Population, made a report on

a report of the Senate Committee on the Military and Pensions on the petition of R. Hopton; which was ordered for consideration on Monday next.

Mr. CURETON, from the Committee on Grievances, made a report on the petition of sundry citizens of Union, relative to the delay in the delivery of goods by Rail Road Companies; which was ordered for consideration on Monday next.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of Eveline Dill; which was ordered for consideration on Monday next.

Mr. BOYKIN, from the Committee on the Legislative Library, made a report on the memorial of G. E. Walker and John Johnson, and the Message of the Governor in relation thereto, made a report; which was ordered for consideration to-morrow.

The SPEAKER, under the amendments to the 60th Rule of this House, in the alphabetical order of Judicial Districts, called for resolutions, bills and motions, commencing with Charleston, when

Mr. POPPENHEIM submitted the following resolutions, which were ordered to be considered immediately and were agreed to.

*Resolved*, That a Committee of Inspection for the principal Bank of the State of South Carolina, in Charleston, and a Committee for each of the Branches of the Bank, be appointed, in accordance with the Act to amend the charter of the Bank of the State of South Carolina, passed on the 18th day of December, 1824; and that a message be sent to the Senate, requesting that body to appoint a similar Committee.

*Resolved*, That each member of the several Committees be allowed the same mileage and per diem pay, that is received by members of the General Assembly of the State of South Carolina.

Mr. HUNT gave notice that he will on Monday next ask leave to alter the 63rd Rule of this House.

Pursuant to notice and by leave of the House, Mr. HAMMOND introduced a Bill to permit Joseph R. Breare an alien, to apply for admission to practice in the Courts of Law and Equity in this State; which was read the first time and referred to the Committee on the Judiciary.

On motion of Mr. BOYLSTON, it was ordered, that when this House adjourns, it shall be apjourned to meet on Monday next at 9 o'clock, A. M.

Pursuant to notice and by leave of the House, Mr. BOYLSTON introduced A Bill to amend the tenth section of the first article of the Constitution of this State; which was read the first time and referred to the Committee on Privileges and Elections,

Pursuant to notice and by leave of the House, Mr. PITTS introduced A Bill to compel each District and Parish in this State to pay the expenses of their respective contested elections for members of either branch of the Legislature which may hereafter occur; which was read the first time and referred to the Committee on District Officers and Offices.

Mr. TRADEWELL gave notice that he will on Monday next ask leave to introduce A Bill to exempt Apothecaries from liability to perform militia duty; also,

To move to recind the amendments to the 60th Rule of this House.

The SPEAKER having finished the call for Resolutions, Bills and Motions in the order of Judicial Districts,

Mr. McGOWAN proposed, pursuant to notice, and by leave of the House, to introduce A Bill to alter and amend an Act, entitled, "An Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective officers.

The SPEAKER decided that the call having been completed, the leave could not be granted, unless by the unanimous consent of the House.

No member objecting, Mr. McGOWAN introduced the Bill; which was read the first time, and referred to the Committee on District Officers and Offices.

By unanimous consent, Mr. SULLIVAN, from the Committee on Education, made a report upon the Message No. 4, of his Excellency the Governor, making arrangements for the commencement of the South Carolina College; which was ordered to be considered immediately, was agreed to and ordered to be sent to the Senate for concurrence.

By unanimous consent, Mr. OWENS introduced the following Resolution, which was ordered to be considered immediately and was agreed to:

*Resolved*, That a Committee consisting of one from each Congressional District be appointed to nominate suitable persons as President and Directors of the Bank of the State of South Carolina, and that a message be sent to the Senate, requesting that body to appoint a similar Committee to meet the Committee on the part of this House.

Whereupon the SPEAKER appointed the following gentlemen the Committee on the part of this House: Messrs. Owens, Sinkler, Bradley, Boykin, Dean, Garlington and Broyles.

By unanimous consent, Mr. READ submitted the following resolution, which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the Committee on the Library be instructed to report on



the propriety of purchasing the Bust executed by Hiram Powers, of the late J. C. Calhoun, and that the same be placed in a suitable location in the Legislative Library,

### SPECIAL ORDER.

On motion of Mr. BRADLEY, the House proceeded to the consideration of the Bill to arrange this State into Districts for the election of Representatives in the Congress of the United States, and for other purposes, which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. GADBERRY, the special order was discharged, and the said Bill was made the special order of the day for Tuesday next, at 2 o'clock, P. M.

The following Message was received from the Senate :

IN THE SENATE, December 3, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives.*

Senate insists upon asking leave of your House to amend the report of the Committee on Claims of your House, on the account of the Charleston Courier for public printing, by allowing the following charges, which were rejected by the Committee of your House, viz : for advertising presentments of Grand Jury for Charleston District of \$5.85, and for advertising Courts of Appeal, order of Dockets of \$3.90, amounting together to nine dollars and seventy-five cents, and by striking out twenty-five 18-100 dollars, and inserting in lieu thereof " thirty-four dollars and ninety three cents," and has appointed Messrs. Dudley and Carew a Committee of Conference, and respectfully asks your House to appoint a similar Committee to meet the Committee of the Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. TRADEWELL, the message was ordered to *lie on the Table.*

### SPECIAL ORDER.

The House then proceeded to the consideration of Resolutions declaratory of the principles on which charters to private Banks should be granted ; and,

Resolutions respecting the principles of Banking, which had been made the special order of the day for this day at 2 o'clock, P. M., in Committee

of the Whole House, Mr. McGOWAN in the Chair; and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

### GENERAL ORDERS.

On motion of Mr. OWENS, the House proceeded to the consideration of the general orders.

The following Resolution from the Senate was read ;

*Resolved*, That this General Assembly will adjourn *sine die* on Wednesday, 15th December, instant, at 9 o'clock, P. M.

Mr. TUCKER moved to amend the Resolution by striking out " Wednesday, 15th," and inserting " Thursday, 16th."

On motion of Mr. POPPENHEIM, the amendment was ordered to *lie on the Table*.

Mr. BOYLSTON moved to amend the Resolution by striking out " Wednesday, 15th," and inserting " Friday, 17th."

Mr. POPPENHEIM moved to lay the amendment on the table, which passed in the affirmative.

Yeas, 55—Nays, 54.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative are :

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Byrd,

Carwile,

Cauthen,

Christie,

Clawson,

Cooner,

Crosson,

Dean,

Durant,

Ellis,

Messrs. Flagg,

Gadsden,

Hammond,

Harrison,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

King,

Laurens,

Lawton,

Lesesne,

Manigault,

Mobley,

Mullins,

Munro,

Murray,

**Messrs. Owens,**

Patterson,  
J. B. Perry,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Seabrook,  
Sinkler,

**Messrs. Sloan,**

Steele,  
Stokes,  
Thomson,  
Thornwell,  
Tillinghast,  
Wagner,  
Wallace,  
Weatherly, and  
Wescoat.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

**Messrs. Anderson,**

Blakeney,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burt,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Charles,  
Cruikshank,  
Cureton,  
Duncan,  
Elliott,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Green,  
Hampton,  
Hearst,  
Hope,  
Hudgens,  
Hunt,  
Hutson,

**Messrs. Jordan,**

Lanneau,  
Leitner,  
McBee,  
McCrary,  
McGowan,  
McKnight,  
Maybin,  
Melton,  
Middleton,  
Mitchell,  
Morgan,  
B. F. Perry,  
Pickens,  
Pitts,  
Seigling,  
Springs,  
Sullivan,  
Torre,  
Tradewell,  
Trenholm,  
Trotti,  
Tucker,  
Vance,  
Williams, and  
Witherspoon.

Mr. B. F. PERRY moved to lay the Resolution on the table, and the question being put, Will the House agree thereto? tellers were called for, and the House divided. Messrs. Perry and Leitner were appointed to count the House, who reported fifty in the affirmative and fifty-five in the negative. So the House refused to lay the Resolution on the table.

Mr. TORRE moved that a message be sent to the Senate asking leave to amend the Resolution by inserting after the word "at," the words "or before."

Mr. THORNWELL moved to lay Mr. Torre's motion on the table; which was agreed to.

Mr. BOYLSTON moved that a message be sent to the Senate asking leave to amend the Resolution by striking out "Wednesday the 15th, at 9," and inserting "Thursday the 16th, at 8;" which motion was ordered to *lie on the Table*.

Mr. HUNT moved a call of the House, which was decided in the negative.

Yeas, 42—Nays, 66.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Messrs. Anderson,

Bates,

Blakeney,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

Byrd,

J. B. Campbell,

R. E. Campbell,

Cash,

Charles,

Clawson,

Cruikshank,

Elliott,

Ellis,

Fox,

Garlington,

Messrs. Green,

Hearst,

Hudgens,

Hunt,

Hutson,

Leitner,

McCrady,

McGowan,

McKnight,

Maybin,

Melton,

Middleton,

B. F. Perry,

Seigling,

Sloan,

Springs,

Sullivan,

Torre,

Tradewell,

Messrs. Trenholm,  
Trotti,

Messrs. Wallace, and  
Williams.

Those who voted in the negative are,

The Honorable JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Bailey,

Beaty,

Blum,

Boykin,

Carwile,

Cauthen,

Christie,

Cooner,

Crosson,

Cureton,

Dean,

Duncan,

Durant,

Ervim,

Flagg,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hampton,

Harrison,

Hope,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

King,

Lanneau,

Laurens,

Lawton,

Messrs. Letesne,

McBee,

Manigault,

Mitchell,

Mobley,

Morgan,

Mullins,

Munro,

Murray,

Owens,

Patterson,

J. B. Perry,

Pickens,

Pitts,

Poppenheim,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Sinkler,

Steele,

Stokes,

Thomson,

Thornwell,

Tillinghast,

Tucker,

Vance,

Wagner,

Weatherly,

Wescoat, and

Witherspoon.

Mr. MITCHELL moved that the House do now adjourn; which was decided in the negative.

Ayes, 50—Nays, 58.

The yeas and nays were requested, and as follows :

Those who voted in the affirmative are :

The Hon. JAMES SIMONS, Speaker, and

|                    |                  |
|--------------------|------------------|
| Messrs. Alexander, | Messrs. Lanneau, |
| Blakeney,          | Leitner,         |
| Boylston,          | McBee,           |
| Bradley,           | McCrady,         |
| Burt,              | McGowan,         |
| Byrd,              | McKnight,        |
| J. B. Campbell,    | Maybin,          |
| R. E. Campbell,    | Melton,          |
| Cash,              | Middleton,       |
| Charles,           | Mitchell,        |
| Clawson,           | Morgan,          |
| Cruikshank,        | B. F. Perry,     |
| Cureton,           | Pickens,         |
| Elliott,           | Siegling,        |
| Ervin,             | Sloan,           |
| Fox,               | Steele,          |
| Garlington,        | Sullivan,        |
| Gourdin,           | Torre,           |
| Green,             | Tradewell,       |
| Hampton,           | Trenholm,        |
| Hearst,            | Trotti,          |
| Hope,              | Tucker,          |
| Howell,            | Wallace and      |
| Hunt,              | Williams,        |
| Hutson,            |                  |

Those who voted in the negative are :

|                |               |
|----------------|---------------|
| Messrs. Allen. | Messrs. Blum, |
| Anderson,      | Boykin,       |
| Bailey,        | Brown,        |
| Bates,         | Broyles,      |
| Beaty,         | Carwile,      |

**Messrs.** Cauthen,  
 Christie,  
 Cooner,  
 Crosson,  
 Dean,  
 Duncan,  
 Durant,  
 Ellis,  
 Flagg,  
 Gadberry,  
 Gadsden,  
 Hammond,  
 Harrison,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 King,  
 Laurens,  
 Lawton,  
 Lesesne,  
 Manigault,  
 Mobley,  
 Mullins,

**Messrs.** Munro,  
 Murray,  
 Owens,  
 Patterson,  
 J. B. Perry,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Sinkler,  
 Springs,  
 Stokes,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Vance,  
 Wagner,  
 Weatherly,  
 Wescoat, and  
 Witherspoon,

Mr. MELTON moved to adjourn the debate, and to make it the Special Order of the day for Tuesday next, at half-past 12 o'clock, P.M.

Mr. THORNWELL moved to lay the motion on the table, which passed in the affirmative.

Yeas, 63—Nays, 46.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are :

**Messrs.** Alexander,  
 Allen.  
 Anderson,  
 Bailey,  
 Bates,  
 Beaty,

**Messrs.** Blakeney,  
 Blum,  
 Boykin,  
 Byrd,  
 Carwile,  
 Cauthen,

Messrs. Christie,  
 Clawson,  
 Cooner,  
 Crosson,  
 Dantzler,  
 Dean,  
 Duncan,  
 Durant,  
 Ervin,  
 Flagg,  
 Gadberry,  
 Gadsden,  
 Garlington,  
 Hammond,  
 Hampton,  
 Harrison,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 King,  
 Laurens,  
 Lawton,  
 Lesesne,  
 Manigault,  
 Mobley,

Messrs. Morgan,  
 Mullins,  
 Munro,  
 Murray,  
 Owens,  
 Patterson,  
 J. B. Perry,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Sinkler,  
 Springs,  
 Stokes,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Vance,  
 Wagner,  
 Weatherly and  
 Wescoat.

Those who voted in the negative are:

Hon. JAMES SIMONS, Speaker, and

Messrs. Boylston,  
 Bradley,  
 Brown,  
 Broyles,  
 Burt,  
 R. E. Campbell,  
 Cash,  
 Charles,  
 Cruikshank,  
 Cureton,

Messrs. Elliott,  
 Ellis,  
 Fox,  
 Gourdin,  
 Green,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hunt,



Messrs. Hutson,  
 Lanneau,  
 Leitner,  
 McBee,  
 McCrady,  
 McGowan,  
 McKnight,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 B. F. Perry,  
 Pickens,

Messrs. Seigling,  
 Sloan,  
 Steele,  
 Sullivan,  
 Torre,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Wallace,  
 Williams, and  
 Witherspoon.

Mr. GREEN moved to make the Resolution the Special Order of the day for Wednesday next, at 1 o'clock, P. M.; which was decided in the negative.

Yeas, 47—Nays, 57.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,  
 Blakeney,  
 Boyleston,  
 Bradley,  
 Brown,  
 Broyles,  
 Burt,  
 R. E. Campbell,  
 Charles,  
 Clawson,  
 Cruikshank,  
 Cureton,  
 Dantzler,  
 Elliott,  
 Fox,  
 Gadberry,  
 Gourdin,  
 Green,

Messrs. Hurst,  
 Hope,  
 Howell,  
 Hudgins,  
 Hunt,  
 Hutson,  
 Lanneau,  
 Leitner,  
 McCrady,  
 McGowan,  
 McKnight,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Morgan,  
 Patterson,  
 B. F. Perry,

Messrs. Pickens,  
Sloan,  
Steele,  
Sullivan,  
Torre,

Messrs. Tradewell,  
Trenholm,  
Trotti,  
Tucker, and  
Williams.

Those who voted in the negative, are

Messrs. Alexander,  
Allen,  
Bailey,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Byrd,  
Carwile,  
Cauthen,  
Christie,  
Cooner,  
Crosson,  
Dean,  
Duncan,  
Durant,  
Ellis,  
Ervin,  
Flagg,  
Gadsden,  
Hammond,  
Hampton,  
Harrison,  
B. J. Johnson,  
W. R. Johnson,  
A. R. Johnson,  
Jordan,  
King,  
Laurens,

Messrs. Lawton,  
McBee,  
Mobley,  
Mullins,  
Munro,  
Murray,  
Owens,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Seabrook,  
Sinkler,  
Springa,  
Stokes,  
Thomson,  
Thornwell,  
Tillinghast,  
Vance,  
Wagner,  
Wallace,  
Weatherly,  
Wescoat, and  
Witherspoon.

The question was then put, "Will the House concur in the resolution from the Senate?" which passed in the affirmative.

Yeas 58—Nays 48.

Those who voted in the affirmative, are

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Byrd,

Carwile,

Cauthen,

Christie,

Clawson,

Cooner,

Crosson,

Dantzler,

Dean,

Duncan,

Durant,

Ellis,

Flagg,

Gadsden,

Hammond,

Hampton,

Harrison,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnson,

Jordan,

Messrs. King,

Laurens,

Lawton,

McBee,

Mobley,

Morgan,

Mullins,

Munro,

Murray,

Owens,

Patterson,

J. B. Perry,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Sinkler,

Steele,

Stokes,

Thomson,

Thornwell,

Tillinghast,

Vance,

Wagner,

Weatherly, and

Wescoat.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,

Blakeney,

Boylston,

Bradley,

Brown,

Broyles,

Messrs. Burt,

R. E. Campbell,

Cash,

Charles,

Cruikshank,

Cureton,

Messrs. Elliott,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Green,  
Hearst,  
Hope,  
Hudgens,  
Hunt,  
Hutson,  
Lanneau,  
Leitner,  
McCready,  
McGowan,  
McKnight,  
Maybin.  
Melton,

Messrs. Middleton,  
Mitchell  
B. F. Perry,  
Pickens,  
Pitts,  
Siegling,  
Sloan.  
Springs,  
Sullivan,  
Torre,  
Tradewell,  
Trenholm,  
Trotti,  
Tucker,  
Wallace,  
Williams, and  
Witherspoon.

The House considered and agreed to the Report of the Special Committee on a resolution of inquiry, respecting Common School Education, and on the petition of the Teachers' Association of Union, praying an alteration in the Free School System, asking to be discharged from the further consideration thereof.

Mr. McGOWAN from the Committee of the whole House, to whom had been referred Resolutions declaratory of the principles on which charters to private Banks should be granted, and Resolutions on the principles of banking and suggesting provisions to be inserted in Bank Charters hereafter to be granted, made a Report, asking to be discharged from the further consideration thereof; which was agreed to.

On motion of Mr. OWENS the House was adjourned at 26 minutes after 5 o'clock, P. M.

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MONDAY, DECEMBER 6, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The Senate returned, with their concurrence, the report of the Committee on Education, on Message No. 4 of the Governor, inviting the Legislature to attend the Commencement of the South Carolina College.

On motion of Mr. SLOAN, the House then joined the procession in front of the Capitol, and attended the exercises of the Commencement of the South Carolina College.

The SPEAKER having resumed the Chair, laid before the House the report of the Comptroller General, with the contingent accounts against the Upper Division of the Treasury; which, with the accounts, was referred to the Committee on Accounts.

The Senate sent to this House the following Bills, which were read the first time:

A Bill to renew the Charter of the Commercial Bank of Columbia, South Carolina, was referred to the Committee of Ways and Means;

A Bill to alter the sittings of the Courts of Law on the Northern Circuit, was referred to the Committee on the Judiciary;

A Bill to incorporate a Bank in the town of Chester, was referred to the Committee of Ways and Means.

The Senate also sent to this House,

A Bill to arrange the State into Districts, for the election of Representative in the Congress of the United States, and for other purposes; which was read the first time, and made the special order of the day for Tuesday next, at 2 o'clock, P. M.

The SPEAKER laid before the House a communication from F. J. Moses, Chairman of a Committee appointed by the Trustees of the South Carolina College, to make arrangements for the laying of the Corner Stone of the new Chapel, inviting this House to be present at that ceremony on Thursday next; which, on motion of Mr. MIDDLETON, was ordered to *lie on the Table*.

The SPEAKER under the amendments of the 60th Rule of this House, called, in Alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners and such like papers, when

Mr. McGOWAN presented the annual report of the Trustees of the Estate of Dr. John DeLa Howe, for November, 1852; which was referred to the Committee on Education.

Mr. MITCHELL presented the petition of Charles Edmonston and other citizens of Charleston, praying an amendment of the law to prevent

the harboring of deserted seamen ; which was referred to the Committee on the Judiciary.

Mr. B. F. PERRY presented the report of the Commissioner of Public Works ; which was referred to the Committee on Internal Improvements.

Mr. SULLIVAN presented the report of the Treasurer of the South Carolina College ; which was referred to the Committee on Education.

The SPEAKER, under the amendments to the 60th Rule of this House, in the alphabetical order of Judicial Districts, called for resolutions, bills and motions, commencing with Abbeville.

Mr. McGOWAN gave notice that he will, to-morrow, move to suspend the operation of the 74th Rule of this House.

On motion of Mr. VANCE, leave of absence was granted to Mr. CHARLES for two days.

Mr. HUTSON submitted the following Resolutions, which were ordered to be considered immediately and were agreed to :

*Resolved*, That the Committee on the Military be instructed to inquire and report to this House

1. If the Board of Visitors of the State Military Academies are required by the Act constituting them, to report to the General Assembly a detailed account of their actings and doings, and of the mode in which they expend the money appropriated by law, and received from pay cadets ; and if so, whether the Act has been complied with, and, if such is not the law, whether it should not be amended.

2. If the said Board have recently removed any member or members of the Faculty of the said Institution, or procured their resignation under an express or implied threat of dismissal, and if the said Board has power so to do without charges made, or defence heard ; and if so, whether such extra ordinary power accords with the spirit of our institutions.

3. If the said Board should not be appointed by the General Assembly and have a fixed term of office ; and that the Committee have power to send for persons and papers and have leave to report by bill or otherwise.

Pursuant to notice and by leave of the House, Mr. HUNT moved to amend the 63d Rule of this House in the following particulars : That the business before the House shall be classified for the remainder of the session, so that the general orders of the day be taken up in the following order :

1. All Bills reported on to this House by any standing or Special Committees, and ready for a second reading.

2. That for the remainder of this session, morning and evening sessions shall be had from 10 A. M. to 4 P. M., and from 6 to 10 in the evening, unless otherwise directed by the House.

3. The evening sessions shall be devoted to disposing reports.

Mr. HOPE submitted the following resolutions, which were ordered for consideration to-morrow, and were ordered to be printed :

*Resolved*, That it is inexpedient and impolitic in view of the present financial condition of the State, for this Legislature to pass an Act to make further loans of money on the credit of the State to any corporation for such purpose, unless the Act is first submitted to the people and sanctioned by them.

*Resolved*, That it is the sense of this Legislature that no Charter for Banks should be granted for a less amount than \$250,000 and not more than \$1,000,000; that two-thirds of the stockholders should live in the State; that no Bank should speculate or deal in Real Estate, or in stocks of other corporations and associations, or in merchandize, and chattels; nor should they be concerned in insurances, manufacturing, exportation or importation, except of bullion or specie. But it shall be competent for them to have and hold real estate, or chattels, necessary for their use in the transaction of business, or which may be pledged for further security, or received towards or in satisfaction of debts previously contracted or purchased at legal sales to satisfy existing debts.

On motion of Mr. KEITT,

*Resolved*, That the use of this Hall be granted to Professor Reynolds on Thursday evening next, for the delivery of his inaugural lecture.

Pursuant to notice, Mr. TRADEWELL moved that the amendments to the 60th Rule of this House be rescinded, and, the question being put, tellers were called for and the House divided. Messrs. Ashmore and Hearst were appointed to count the House, who reported 56 in the affirmative and 32 in the negative.

So the House refused to rescind the amendments—two-thirds of the members present not agreeing thereto.

Pursuant to notice and by leave of the House, Mr. TRADEWELL introduced A Bill to exempt apothecaries from liability to perform military duty; which was read the first time and referred to the Committee on the Military.

Mt. TRADEWELL submitted the following resolution :

*Resolved*, That a message be sent to the Senate proposing to that House

to go into an election for a Law Judge to fill the vacancy occasioned by the election of Hon. Josiah J. Evans to, and the acceptance by him of, the office of United States Senator, to-morrow at 1 o'clock, P. M.

On motion of Mr. ASHMORE; the resolution was amended by striking out "1," and inserting " $\frac{1}{2}$  past 12," and thus amended the resolution was agreed to and a message was sent accordingly.

The House reconsidered the vote taken on agreeing to Mr. Trade-well's motion to rescind the amendment to the 60th Rule of this House.

Mr. MITCHELL moved to amend the motion to read as follows : "that the amendments to the 60th Rule of this House be suspended for the remainder of the Session. The motion as amended was then agreed to.

At 31 minutes after 4 o'clock, P. M., on motion of Mr. MIDDLETON, business was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

Mr. MIDDLETON, from the Committee of Ways and Means, to whom was referred the petition of J. D. Allen, made a report; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred A Bill to define the principles on which Joint Stock Banks shall be incorporated, made a report; which was ordered for consideration to-morrow; and reported A Bill to define the principles on which Joint Stock Banks shall be incorporated; which was read the first time and ordered to be read a second time to-morrow.

Mr. MIDDLETON, from the same Committee to whom was referred the Joint memorial of the Directors of the Blue Ridge Company and of a Committee appointed by a Convention held at Anderson on 1st July last, reported

A Bill to authorize a subscription and loan on the part of the State to the Blue Ridge Rail Road Company in South Carolina, and

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina; which were severally read the first time and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the same Committee, to whom was referred so much of the Governor's Message, No. 1, as relates to the Bank of the State of South Carolina, reported A Bill to extend the charter of the Bank of the State of South Carolina; which was read the first time and ordered to be read a second time to-morrow.



Mr. TORRE, from the same Committee, to whom had been referred the memorial of citizens of Sumter for the charter of a new bank in Sumterville, made a report; which was ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made reports on the petition of the City Council of Augusta, praying for the re-charter of a bridge over the Savannah River;

The petition of J. C. Coit and others, praying for the right to construct a free bridge over the Pee Dee River;

The petition of sundry citizens of Sumter, praying the reopening of a road across Lynch's Creek; and on

The petition of sundry citizens of Edgefield District, praying the opening of a new road; which were ordered for consideration to-morrow.

Mr. THOMPSON, from the Committee on the Lunatic Asylum, to whom had been referred the Report of the Regent, with the Reports of the Physician and Superintendent and so much of the Governor's Message as relates to the Lunatic Asylum, made a report; which was ordered for consideration to-morrow, and was ordered to be printed.

Mr. ASHMORE, from the Committee on Claims, made reports

On the report of the Senate's Committee on Claims, on the account of Isaac Vansant for blankets furnished the Jail of Lexington District,

On the account of James Powell.

Mr. ASHMORE, from the Committee on Claims, to whom had been re-committed the report of the same committee on the petition of F. N. Garvin, made a report; which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom had been referred a Resolution to inquire into the propriety of purchasing the Bust of the late J. C. Calhoun, by Powers, made a report; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. McCRADY, from the Committee on Incorporations, to whom had been referred

A Bill to alter and amend an Act, entitled "An Act to incorporate the North Eastern Rail Road, and

A Bill from the Senate to incorporate the Columbia Gas-Light Company, made reports; which were ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, to whom were referred the petitions of sundry citizens of Spantanburg, and of sundry citizens of Frog Level and others, praying amendments to their several charters, reported A Bill to amend the charters of certain Towns, and Villages hereto-

fore incorporated; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same committee to whom had been referred sundry petitions, praying for the incorporation of certain religious and charitable societies, and societies for the advancement of Education, reported A Bill "to incorporate certain religious and charitable societies and societies for the advancement of Education, and to renew the charters of others heretofore granted;" which was read the first time, and ordered to be read the second time to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred A Bill to renew the charter of the Planter's and Mechanic's Bank of South Carolina, made a report, which was ordered for consideration to-morrow, and reported A Bill to re-charter the Planter's and Mechanic's Bank of South Carolina; which was read the first time, and was ordered to be read a second time to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred A Bill to renew the charter of the Commercial Bank of Columbia, South Carolina, made a report, which was ordered for consideration to-morrow, and reported A Bill to re-charter the Commercial Bank of Columbia, South Carolina; which was read the first time, and ordered to be read the second time to-morrow.

Mr. MIDDLETON, from the same Committee, to whom were referred a Bill to renew the charter of the Union Bank of South Carolina, made a report, which was ordered for consideration to-morrow, and reported a Bill to recharter the Union Bank of South Carolina, which was read the first time, and ordered to be read the second time to-morrow.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of William Farmer, for arrears of pension due to Thomas Farmer, deceased; which was ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the following message from the Senate was taken up:

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate insists upon asking leave of your House to amend the Report of the Committee on Claims of your House, on the account of the Charleston Courier, for public printing, by allowing the following charges, which were rejected by the Committee of your House, viz.: For adver-

tising presentments of Grand Jury for Charleston District, of \$5.85, and for advertising Court of Appeal, Order of Dockets, of \$3.90, amounting together to \$9.75; and by striking out "twenty-five 18-100 dollars," and inserting, in lieu thereof, "thirty-four 93-100 cents;" and has appointed Messrs. Dudley and Carew a Committee of Conference, and respectfully asks your House to appoint a similar Committee to meet the Committee of Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President

The House insisted on refusing to grant leave to the Senate to make the amendment, and concurred with the Senate in the appointment of a Committee to join the Committee of the Senate to confer on that subject; whereupon the SPEAKER appointed Messrs. Ashmore and Dean a Committee on the part of this House, and an answer was returned accordingly.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

The following reports were ordered to *lie on the Table*:

Reports of the Committee on Roads, Bridges and Ferries;

On the petition of Emanuel Witsell;

On the petition of Moses West;

On the petition of sundry citizens of St. Helena and Prince Williams, respecting Port Royal Ferry;

On the presentment of the Grand Jury of Richland, relating to the road law;

On the petition of sundry citizens of Darlington, for establishing a road called Field's Bridge Road.

Mr. ERVIN obtained leave to withdraw the petition of sundry citizens of Darlington, for establishing a road called Field's Bridge Road.

The following Reports were agreed to:

Reports of the Committee on Roads, Bridges and Ferries;

On the presentment of the Grand Jury of Newberry, respecting tavern licenses;

On the petition of the Board of Commissioners of St. Bartholomews, and of sundry citizens of St. Bartholomews and Prince Williams, for and against the establishment of a toll bridge at Salt Ketcher;

Reports of the Committee on Claims;

On the petition of Dr. Josiah B. Fishburne;

On the petition of Charles McIlwain;

On the petition of Norwood and De Lorme;

On the petition of John A. Gyles;

On the petition of Lewis R. Sams;

On the account of Drs. T. J. K. & T. A. Dargan;

Mr. TORRE obtained leave to withdraw the petition of John A. Gyles, and Mr. ERVIN, the account of Drs. T. J. K. & T. A. Dargan.

Mr. ERVIN also obtained leave to withdraw the petition of Norwood & Delome.

The following reports were considered and agreed to :

Report of the Committee on Internal Improvements on the presentment of the Grand Jury of Anderson on the policy of extending the Greenville & Columbia Rail Road through the Rabun Gap; and

Report of the Committee on Colored Population on the presentment of the Grand Jury of Union, respecting the guardianship of and collection of debts from, free colored persons.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the account of Dr. W. J. David;

On the account of Dr. W. D. Wallace;

On the account of Dr. A. W. Kennedy;

On the account of Dr. N. Henry;

On the account of Dr. C. J. Flinn;

On the accounts of Charleston Mercury;

On the petition of Sarah Branch;

On the account of Dr. James H. Henry;

On the account of Dr. R. W. Gibbs, assignee of I. C. Morgan;

Reports of the Committee of Ways and Means on the report of the President of the Charlotte Rail Road Company;

Disbursement of the transient poor fund in Georgetown;

The abstract of the expenditures for city and transient poor of Charleston for the year 1852.

The following message was received from the Senate :

IN THE SENATE, December 6, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the proposition of your body to go into an elec-

tion for a Law Judge, to fill the vacancy occasioned by the resignation of the Hon. J. J. Evans, to-morrow, at half-past 12 o'clock, P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

A Bill to vest the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald, was read the second time and ordered to be sent to the Senate.

A Bill to amend an Act entitled "An Act to provide for the inspection of flour," was called for a second reading, and on motion of Mr. LEITNER, was recommitted to the Committee on Internal Improvements.

The following Bills were read the second time and ordered to be sent to the Senate :

A Bill to prevent obstructions to the passage of fish up Lynch's Creek ;

A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the Town of Moultrieville, and to remove all obstructions in such streets ;

A Bill to incorporate the Village of Cokesbury ;

A Bill to relieve Plank Road Companies from the necessity of making returns unless specially called for by the Legislature ;

A Bill to authorize the formation of a new Volunteer Company within the limits of the 23rd Regiment of Infantry ; and

A Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty.

A Bill to charter the Lancaster Rail Road Company and for other purposes, was read a second time. On motion of Mr. McCRADY, the title of the Bill was amended by striking out the words "and for other purposes," and thus amended the Bill was ordered to be sent to the Senate.

The following Bill was read a second time and ordered to be sent to the Senate :

A Bill to allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law.

A Bill to incorporate the Columbia Gas Light Company was called for a second reading, and, on motion of Mr. McCRADY, was ordered *to lie on the Table*.

On motion of Mr. McCRADY, the House reconsidered the vote ordering the report of the Committee on Incorporations on a Bill from the Senate, to incorporate the Columbia Gas Light Company to be considered

to-morrow. The same was ordered to be considered immediately, and the Bill was read the second time, and was ordered to be returned to the Senate.

A Bill to restore the law authorizing the appointment of Sutlers at muster grounds upon certain conditions, was called for a second reading, and progress having been made therein, Mr. THORNWELL moved to postpone the further consideration of the Bill until the 1st day of January next; which was decided in the negative.

Yeas 30—Nays 56.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are

|                 |                  |
|-----------------|------------------|
| Messrs. Bailey, | Messrs. Mullins, |
| Boykin,         | Murray,          |
| Boylston,       | Owens,           |
| Bradley,        | J. B. Perry,     |
| Broyles,        | Read,            |
| Cauthen,        | Reynolds,        |
| Charles,        | Rosborough,      |
| Durant,         | Seabrook,        |
| Flagg,          | Thomson,         |
| Tillman Ingram, | Thornwell,       |
| B. J. Johnson,  | Tradewell,       |
| W. R. Johnson,  | Vance,           |
| Kershaw,        | Wallace,         |
| King,           | Wescoat, and     |
| Melton,         | Witherspoon.     |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker,

|                    |                 |
|--------------------|-----------------|
| Messrs. Alexander, | Messrs. Burt,   |
| Allen,             | R. E. Campbell, |
| Anderson,          | Carwile,        |
| Bates,             | Christie,       |
| Beaty,             | Crosson,        |
| Blakeney,          | Clawson,        |
| Blum,              | Cruikshank,     |
| Brown,             | Dantzler,       |

Messrs. Dean,  
Duncan,  
Elliott,  
Ellis,  
Fox,  
Gadberry,  
Garlington,  
Hammond,  
Harrison,  
Hearst,  
Hope,  
Hudgens,  
Hutson,  
A. R. Johnston,  
Jordan,  
Lawton,  
Leitner,  
Lesesne,  
McCrady,  
McGowan,

Messrs. Manigault,  
Middleton,  
Mitchell,  
Mobley,  
Munro,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitts  
Poppenheim,  
Porcher,  
Rice,  
Sullivan,  
Tillinghast,  
Trenholm,  
Tucker,  
Wagner,  
Walker, and  
Williams.

The Bill was then read a second time and was ordered to be sent to the Senate.

Mr. ERVIN, who was absent when the vote was taken, was permitted to record the vote he would have given if present, and his name having been called for that purpose, he answered Aye.

The following reports were considered and agreed to :

The report of the Committee on Incorporations on the petition of the members of the Bedon's Baptist Church, and the counter petition of Richard B. Bedon ;

The report of the Committee on the Military, on the presentment of the Grand Jury of Colleton, presenting as a nuisance Militia Company Musters.

The General Orders were then suspended, and

Mr. McCRADY, from the Committee on Incorporations to whom had been referred sundry petitions praying incorporation, reported A Bill to incorporate certain societies, associations and companies, and for the re-charter of others ; which was read the first time, and ordered to be read the second time to-morrow.

The General Orders were then resumed.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence.

Report of the Committee on the Military, on a resolution of inquiry as to the expediency of modifying the duties and reducing the salary of the Adjutant and Inspector General, and of reducing the salary of the Quarter Master General.

Reports of the Committee on Claims,

On the account of Norwood & DeLorme,

On the account of W. H. Trimmier,

On the account of W. W. Purse, and

On the account of the Southern Rights Advocate.

A Bill to amend the law in cases of appeal, was called for a second reading, and progress having been made therein,

On motion of Mr. PATTERSON, the House was adjourned at 40 minutes past 9 o'clock, P. M.

## TUESDAY, DECEMBER 7, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following message was received from the Senate :

IN THE SENATE CHAMBER, December 6, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

The Senate concurs in the proposition of your House to nominate suitable persons as President and Directors of the Bank of the State of South Carolina, and has appointed Messrs. Moses, Carew, Gist, Brockman, Zimmerman, Griffin, and B. G. Allston, a Committee on the part of the Senate to meet the Committee of your House on this subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to establish and incorporate a Bank in the town of Newberry;

A Bill to renew the charter of the Planters' & Mechanics' Bank of South Carolina; and,



A Bill to renew the charter of the Union Bank of South Carolina; were referred to the Committee of Ways and Means;

A Bill to prevent obstructions to the passage of fish up Lynch's Creek was referred to the Committee on the Judiciary;

A Bill to alter and amend the sixth section of an Act, entitled "An Act to amend an Act, entitled 'An Act to authorize the formation of the Greenville and Columbia Rail Road Company,'" and "An Act to amend an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and for other purposes;" was referred to the Committee on Incorporations;

A Bill to confer on Joseph Frank certain rights and privileges in relation to a piece of land by him purchased, and

A Bill to confer on Isaac Iseman certain rights and privileges in relation to a piece of land by him purchased; were referred to the Committee on the Judiciary.

The Senate returned to this House the following Bills :

A Bill in relation to the execution of slaves and free persons of color, and

A Bill to open and extend Pitt street in the town of Mount Pleasant.

*Resolved*, That they do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be sent to the Senate.

The SPEAKER laid before the House the report of the Attorney General on the debt of Barnard E. Bee, due to the Ludlow School Fund; which was referred to the Committee on Education.

The SPEAKER also laid before the House the reports of the Attorney General and Solicitors on district officers and their offices; which were severally referred to the Committee on District Officers and Offices.

Mr. B. F. PERRY presented the petition of sundry citizens of Greenville in reference to a poll tax and free schools; which was referred to the Committee on Education.

Mr. MANIGAULT presented the memorial of the Commissioners of Public Buildings for Georgetown District, praying an appropriation for the repair of the Court House; which was referred to the Committee on Public Buildings.

Mr. A. R. JOHNSTON presented the petition of sundry citizens of Marion District, praying the establishment of a new election poll; which was referred to the Committee on Privileges and Elections.

Mr. BRADLEY presented the account of Dr. H. DuBose for medical services; which was referred to the Committee on Claims.

Mr. CARWILE presented the petition of the Edgefield Odd Fellows and Masonic Building Association, praying an Act of Incorporation; and

Mr. CROSSON presented the petition of sundry citizens of the town of Newberry, praying for the incorporation of the Newberry Cemetery Association; which were severally referred to the Committee on Incorporations.

Pursuant to notice given yesterday and on motion of Mr. McGOWAN, the 74th Rule of this House was suspended until Thursday next inclusive.

Mr. WITHERSPOON presented the petition of Dr. W. S. Burgess, praying compensation for *post mortem* examination;

Mr. HAMPTON presented the account of P. M. Johnson, and the account of administrator of the estate of A. S. Johnston, for printing the Law and Equity Reports;

Mr. ELLIOTT presented the accounts of Drs. J. P. Chazal, R. A. Kinlock, Peter Porcher, and J. F. Prioleau, for medical services; which were severally referred to the Committee on Claims.

Mr. LESESNE presented the petition of Robert Adger, executor of Christina B. S. Gulden, for a release of the interest of the State in certain lots in the city of Charleston, and

Mr. HEARST presented the petition of Fanny Burdishaw, praying that the right and title of the State to the personal estate of John Burdishaw, deceased, liable to escheat, may be vested in her; which were referred to the Committee on the Judiciary.

Mr. DUNCAN presented the petition of sundry citizens of Greenville, praying an increase of the free school fund, by levying a poll tax; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the petition of the Upper Board of Commissioners of Roads, of St. Bartholomew's Parish, praying for the passage of an Act to unite the two boards of said Parish; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CAUTHEN presented the account of James Adams for articles furnished the Jail of Lancaster, and

Mr. BLAKENEY presented the account of Stephen Jackson, Sheriff of Chesterfield, for blankets furnished the Jail; which were severally referred to the Committee on Claims.

Mr. MITCHELL presented the petition of Annette Elliott, George Mason, and Margaret Jane James, praying that all the right of the State in certain lands, late of John Mason, Joseph Mason and Margaret Elliott,

should be vested in Charles T. Levy ; which was referred to the Committee on the Judiciary.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom were referred

A Bill to establish and incorporate a Bank in the Town of Newberry;

A Bill to incorporate the Farmers' and Exchange Bank of Charleston; and,

A Bill to incorporate the Exchange Bank in the town of Columbia, made reports ; which were ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom were referred sundry petitions, reported a Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars ; which was read the first time, and ordered to be read the second time to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom was referred the petition of the Town Council of Columbia, praying the use of the water from the Columbia Canal, reported A Bill to allow the Town Council of Columbia to use water from the Columbia Canal and for other purposes ; which was read the first time, and ordered to be read the second time to-morrow.

Mr. LEITNER presented the report of the Commissioners of the Deaf and Dumb, on their expenditures ; which was referred to the Committee on Education.

Mr. HOPE, from the Committee on Public Buildings, made a report on the petition of the Commissioners of Public Buildings for Edgefield District, praying an appropriation ; which was ordered for consideration to-morrow.

Mr. THORNWELL, from the Committee on the Judiciary, to whom was referred a Bill from the Senate to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest for the State of South Carolina, in two lots of land on Charleston Lines, made a report which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, made reports on

A Bill to prevent the marital rights of the husband from attaching to the estates of married women ;

A Bill from the Senate, to release to Catharine McDonald, all the right and interest of the State to certain property ;

A Bill to define the obligations and duties of companies, owning or working lines of Magnetic Telegraph, within the limits of South Carolina ;

A Bill to repeal an Act entitled "An Act to increase the amount of property exempt from levy and sale;"

A Bill to amend an Act entitled "An Act to increase the amount of property exempt from levy and sale;"

A Bill to provide for the revision and codification of the Statute Law of this State;

A Bill to permit Joseph B. Breare, an alien, to apply for admission to practice in the Court of Law and Equity in this State;

A Bill to punish criminally public officers converting to their own use monies entrusted to their keeping;

A Bill for the establishment of a general system of registration of Births, Marriages and Deaths in the State of South Carolina;

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates in certain cases;

A Bill from the Senate to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of and administer Derelict Estates;

A Bill from the Senate to declare and amend the law in relation to words of limitation in deeds and wills;

A Bill from the Senate to punish assaults committed with concealed deadly weapons; and

On the report of the Senate's Committee on the Judiciary, on the memorial of the Clerk of the Court of Appeals at Columbia; which were severally ordered for consideration to-morrow.

Mr. TILLINGHAST, from the same Committee, made a report of a minority of the Committee on a Resolution from the Senate, to increase the compensation of the Clerk of the Court of Appeals at Columbia; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of Dr. J. Ford, Prioleau, and

On the account of James Thwing.

On motion of Mr. MITCHELL, the Committee on Federal Relations was discharged from the consideration of resolutions from the Senate, providing that the Governor apply the unexpended balance of the sum appropriated for publishing Mr. Calhoun's works, to the publication of his life and speeches, and for additional distribution of the 1st volume of Mr. Calhoun's works to members of the Legislature, and said resolutions were referred to the Committee on the Legislative Library.

On motion of Mr. MITCHELL, the Committee was also discharged from so much of the Governor's Message No. 1, as relates to the expen-

ditures of the State Convention, and the same was referred to the Committee of Ways and Means.

Mr. MAYBIN presented the account of A. Palmer against the State; which was referred to the Committee on Claims.

The House then proceeded to the consideration of the

### GENERAL ORDERS,

And resumed the debate on a Bill to amend the law in cases of appeal, and after some time spent in the discussion thereof,

The Senate attended and joined the House in the first ballot for Law Judge.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry bills, prescribing the manner in which Electors for President and Vice President shall be elected; submitted by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw, and McCrady; which had been made the special order of the day for this day, at 1 o'clock, P. M., in Committee of the Whole House, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. McKNIGHT, from the Committee appointed to count the votes cast on the first ballot for a Law Judge, reported that no candidate had received a majority, and that, consequently, there was no election.

The following message was received from the Senate, was concurred in, and an answer was returned.

IN THE SENATE CHAMBER, December 7, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

The Senate proposes to your House, to go forthwith into a second ballot for a Law Judge.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

The House then, on motion of Mr. MULLINS, proceeded to the consideration of a Bill to arrange the State into Districts, for the election of Representatives in the Congress of the United States, and for other purposes; which had been made the Special Order of the day, for this day, at 2 o'clock, P. M.; and after some time spent in the discussion thereof,

The Senate attended and joined the House in a second ballot for a Law Judge.

The House then resumed the consideration of the Special Order.

The first section of the Bill was read.

Mr. TUCKER moved to amend the section, by striking out the words, "Newberry, Laurens," from the clause making the Fourth District, and inserting "Anderson, Pickens," and by striking out the words "Anderson, Pickens," from the clause making the Fifth District, and inserting Newberry, Laurens."

The SPEAKER divided the question, when

Mr. CROSSON moved that so much of the amendment as proposes to strike out the words, "Newberry, Laurens," from the clause making the Fourth District, and insert "Anderson, Pickens," be laid *on the Table*; and on the question being put, it passed in the affirmative.

Yeas, 62—Nays, 39.

The Yeas and Nays were requested, and are as follows.

Those who voted in the affirmative are,

|                 |                     |
|-----------------|---------------------|
| Messrs. Allen,  | Messrs. Garlington, |
| Anderson,       | Gourdin,            |
| Ashmore,        | Green,              |
| Bailey,         | Hammond,            |
| Blakeney,       | Harrison,           |
| Blum,           | Hearst,             |
| Boykin,         | Hope,               |
| R. E. Campbell, | Hudgins,            |
| Carwile,        | Hutson,             |
| Cash,           | B. J. Johnson,      |
| Christie,       | W. R. Johnson,      |
| Crosson,        | A. R. Johnston,     |
| Cruikshank,     | Jordan,             |
| Duncan,         | King,               |
| Durant,         | Laneau,             |
| Elliott,        | Laurens,            |
| Ellis,          | Lawton,             |
| Flagg,          | McBee,              |
| Fox,            | McGowen,            |
| Gadsden,        | Mullins,            |

Messrs. Munro,  
Owens,  
Patterson,  
B. F. Perry,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Seabrook,  
Seigling,  
Sinkler,

Messrs. Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,  
Tradewell,  
Trotti,  
Vance,  
Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are :

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Bates,  
Beaty,  
Boylston,  
Brown,  
Broyles,  
Cauthen,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Dean,  
Gadberry,  
Hampton,  
Howell,  
Tillman Ingram,  
Kershaw,  
Leitner,  
Lesesne,

Messrs. McCrady,  
McKnight,  
Manigault,  
Melton,  
Moorer,  
Murray,  
Pickens,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Shedd,  
Sloan,  
Springs,  
Steele,  
Trenholm,  
Tucker,  
Wallace, and  
Williams.

At 4 o'clock, P. M., business was suspended until 6 o'clock, P. M.

#### RECESS.

When the SPEAKER took the Chair, and the House resumed the debate on the special order.

On motion of Mr. McGOWAN, the special order was suspended until 10 minutes after 6 o'clock, P. M.

On motion of Mr. McGOWAN, leave of absence was granted to Mr. Haskell for the remainder of the session, on account of important business.

The following message was received from the Senate, in which the House concurred, and an answer was returned :

IN THE SENATE, December 7, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

The Senate proposes to your House to go into a third ballot for a Law Judge at half-past 12 o'clock, P. M., to-morrow.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House resumed the consideration of the special order, and a Bill to arrange the State into Districts for the election of Representatives in the Congress of the United States, and for other purposes, having been read the second time,

Mr. GADBERRY moved to recommit the Bill, with the following instructions :—to provide ballots for each plan submitted to that Committee, numbering not more than six, and that each ballot shall contain one plan, and be carefully rolled up and placed in a hat or box, from which three ballots shall be drawn by a lad, selected for that purpose, and the three ballots so drawn shall again be placed in the hat or box, from which one ballot shall be drawn as before mentioned, which said last drawn ballot shall contain the plan for re-districting the State.

Mr. GREEN moved that Mr. Gadberry's motion *lie on the Table*, which passed in the affirmative.

Yeas, 78—Nays, 17.

The yeas and nays were requested and are as follows.

Those who voted in the affirmative are :

Messrs. Allen,

Anderson,

Ashmore,

Bailey,

Blakeney,

Blum,

Boylston,

Bradley,

Brown,

R. E. Campbell,

Carwile,

Messrs. Cash,

Cauthen,

Christie,

Clawson,

Crosson,

Cruikshank,

Dantzier,

Duncan,

Durant,

Elliott,

Ellis,



## Messrs. Flagg,

Fox,  
Garlington,  
Gourdin,  
Oreen,  
Hammond,  
Harrison,  
Hearst,  
Hope,  
Hudgens,  
Hutson,  
B. J. Johnson,  
W. R. Johnson,  
A. R. Johnston,  
Jordan,  
Keitt,  
Kershaw,  
King,  
Lanneau,  
Laurens,  
Lawton,  
Lesesne,  
McBee,  
McCrady,  
McGowan,  
McKnight,  
Manigault,  
Middleton,

## Messrs. Mitchell,

Mobley,  
Moorer,  
Morgan,  
Munro,  
Murray,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Read,  
Reynolds,  
Seabrook,  
Seigling,  
Shedd,  
Sinkler,  
Stokes,  
Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,  
Tradewell,  
Trenholm,  
Vance,  
Wagner,  
Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

## Messrs. Bates,

Bcaty,  
Burt,  
Clarke,  
Cooner,  
Dean,  
Gadberry,  
Howell,

## Messrs. Leitner,

Pickens,  
Rosborough,  
Springs,  
Steele,  
Tucker,  
Wallace, and  
Williams.

The Bill was then ordered to be sent to the Senate.

Mr. MIDDLETON, from the committee appointed to count the votes cast on the second ballot for a Law Judge, reported that no candidate had received a majority, and that, consequently, there was no election.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom were referred

A Bill, shewing the manner in which Electors for President and Vice President of the United States shall hereafter be elected in South Carolina,

A Bill to alter and amend the Tenth Section of the First Article of the Constitution of South Carolina,

A Bill to alter and amend the Thirteenth Section of the Second Article of the Constitution, so as to make it obligatory on the Governor to convene the General Assembly on the day designated by Congress for the election of Electors of President and Vice President of the United States,

A Bill to provide for the future election of Electors of President and Vice President of the United States; and,

A Bill to provide for the appointment of Electors of President and Vice President of the United States by this State; reported that, they had had the same under consideration; had made progress therein, and asked leave to sit again on the last Wednesday in November next, at 1 o'clock, P. M.

On motion of Mr. B. J. JOHNSON leave was granted to the Committee to sit again on the last Wednesday in November next, at 1 o'clock, P. M.

Mr. BOYLSTON gave notice that he would ask leave, to-morrow, to introduce A Bill to exempt the survivors of the South Carolina Volunteers in the Florida War from ordinary militia duty.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The report of a minority of the Committee on the Judiciary, on the petition of sundry citizens of York, praying the Repeal of the Act commonly called the Homestead Law, was ordered for consideration; and,

On motion of Mr. READ was ordered to *lie on the Table*.

The House considered and agreed to the Report of the Committee on Colored Population, on so much of the Governor's Message as relates to the imprisonment of Colored Seamen and ordered it to be sent to the Senate for concurrence.

The General Orders were then suspended, and on motion of Mr. McCRADY, the Committee on Incorporations was discharged from the

consideration of A Bill to alter and amend the sixth section of An Act, entitled "An Act to amend An Act, entitled 'An Act to authorize the formation of the Greenville and Columbia Rail Road Company,'" and An Act, entitled "An Act to amend an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and for other purposes;" and the same was referred to the Committee of Ways and Means.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims :

On the account of the Palmetto State Banner.

On the account of Johnston and Cavis.

On the account of W. F. Durisoe.

On the account of B. C. Pressly.

On the account of William Blackledge.

On the account of W. J. Francis.

On the account of Dr. J. H. Thomson.

On the petition of Benjamin Perry.

On the petition of J. R. Poole.

On the account of Bryan & McCarter.

On the account of Thomas J. Warren.

On the account of Thomas J. Eccles.

On the account of Gilbert & Fraser.

On the petition of Jesse C. Dent.

On the account of Dr. A. Malloy.

On the account of James Powell,

On the petition of F. N. Garvin.

Reports of the Committee on Pensions,

On the petition of William Farmer.

On the petition of Matthew Abbott.

On the petition of Nancy Bailey.

On the petition of James D. Mansfield.

On the petition of George W. Dorn.

Reports of the Committee of Ways and Means,

On the petition of J. D. Allen ; and

On the memorial of the City Council of Charleston, for an increase in the appropriation for the Transient Poor.

Reports of the Committee on Public Buildings,

On the presentment of the Grand Jury of Abbeville, recommending the building of a new Jail.

On the petition of the Commissioners of Public Buildings of Chester, praying an appropriation to pay for a lot.

On the petition of the Commissioners of Public Buildings for Richland, praying leave to remove the Jail, and to sell a portion of the Jail lot.

On the presentment of the Grand Jury of Orangeburg, praying an appropriation to enlarge the Court House; and

On the memorial of the Commissioners of Public Buildings of Anderson, praying an appropriation to discharge a debt incurred in the improvement of the Court House.

The report of the Committee on the Judiciary,

On the petition of Michael Lorick; and

The report of the Medical Committee,

On the account of Dr. A. B. Crook.

The report of the Committee on Incorporations,

On the petition of inhabitants of Adams' Run, praying an Act of incorporation, recommending that the prayer of the petition be not granted, was called for consideration; and on motion of Mr. HUTSON, the report was ordered to *lie on the Table*.

Mr. HUTSON submitted the following resolution; which was ordered to be considered immediately, and was agreed to.

*Resolved*, That the prayer of the citizens of Adams' Run for incorporation be granted; and that the Committee on Incorporations have leave to move, by way of amendment to the Bill, to amend the charters of certain towns and villages.

The following reports were considered and agreed to:

Reports of the Committee on Claims,

On the petition of Gabriel South;

On the account of L. M. Grist;

On the account of A. McCants; and,

On the account of Dr. H. Thorn.

Reports of the Committee on Roads, Bridges and Ferries,

On the petition of citizens of Anderson for the continuance of a road;

On the petition of citizens of Sumter, praying the re-opening of a road across Lynch's Creek;

On the petition of the City Council of Augusta praying the re-charter of the bridge over the Savannah River; and

On the petition of J. C. Coit and others, praying the right of constructing a free bridge over the Pee Dee River.

Reports of the Committee on Grievances,

On so much of the presentment of the Grand Jury of Georgetown as relates to the use of decoys and nets for ducks and fish ; and

On the petition of citizens of Union respecting the delay in the delivery of goods by Rail Road Companies.

Reports of the Committee on Education,

On the petition of Mrs. E. F. Ellet ; and

On the presentments of the Grand Juries of Lancaster, Sumter, Abbeville, Kershaw, Newberry, Beaufort, and Charleston, respecting the free school system.

Report of the Committee on Colored Population presenting the practice of negroes conducting religious worship at other places than on their owners' plantations.

Reports of the Committee on Internal Improvements on the petition of citizens of Williamsburg, in relation to the killing of deer ; and

On the petition of citizens of Orange and St. George's, praying that Cattle's Creek may be declared a public highway

Report of the Committee on Pensions, on the petition of Eveline Dill ; and

The report of the Committee on Incorporations on a petition to incorporate Bethlehem Church Camp Ground, in Edgefield District.

Mr. HUDGENS obtained leave to withdraw the petition of Gabriel South ; and

Mr. ALLEN obtained leave to withdraw the petition to incorporate the Bethlehem Church Camp Ground.

On motion of Mr. BOYKIN, the report of the Committee on the Legislative Library on so much of the Governor's Message No. 2, as relates to a new map of the State, was ordered to *lie on the Table*, and the report of the Committee of the Senate on the Library, on the memorial of George E. Walker and John Johnson, was concurred in and ordered to be returned to the Senate.

The following reports were considered and agreed to :

Reports of the Committee on Claims,

On the account of Dr. J. O. Hagood ;

On the petition of B. E. Sessions ; and

On the petition of E. P. Lake.

Reports of the Committee on Incorporations,

On the petition of citizens of Lancaster, praying the incorporation of Providence Baptist Church, and Flat Creek Church ; and

On a petition to incorporate the town of Walhalla.

Reports of the Committee on Roads, Bridges and Ferries,  
On the petition of citizens of Clarendon praying for a new road ;  
On the petition of the Commissioners of Roads of St. James Santee,  
praying an alteration in the road law ;  
On the petition of citizens of Edgefield praying the opening of a new  
road.

Reports of the Committee on Grievances,  
On the presentment of the Grand Jury of Colleton, respecting the  
power of Commissioners to assess taxes ; and  
On the presentment of the Grand Jury of Abbeville, presenting racing  
on Public Roads.

Reports of the Committee of Ways and Means  
On the petition of J. E. McDonald and T. F. Sullivan, and  
On the petition of J. T. Coleman.  
Report of the Committee on Public Buildings,  
On the presentment of the Grand Jury of Williamsburg, recommend-  
ing an enlargement of the Court House.

Report of the Committee on the Military  
On the petition of the Edgefield Flying Artillery.  
Report of the Committee on District Officers and Offices,  
On the petition of citizens of Pickens, praying for an additional Magis-  
trate, and

The report of the Committee on Agriculture  
On the petition of the Greenwood Agricultural Society.  
Mr. CROSSON obtained leave to withdraw the petition of E. P. Lake.  
The report of the Committee on Claims on the account of Dr. J. C.  
Lanier, was recommended to the same Committee.

The report of the Committee on Incorporations upon the petitions of  
the Town Council of Cheraw—of citizens of Laurens Village—Axe Com-  
pany of Charleston Neck, and of William Reynolds and others, praying  
for incorporations and recommending that the prayer of said petitions be  
rejected, was called for consideration.

On motion of Mr. SEIGLING, so much of the report as refers to the  
Axe Company of Charleston Neck, was ordered *to lie on the Table*, and  
the remainder of the report was agreed to,

Mr. SEIGLING submitted the following resolution, which was or-  
dered to be considered immediately and was agreed to,

*Resolved*, That the prayer of the Axe Company of Charleston Neck for  
a change of name, be granted, and that the Committee on Incorporations

have leave to add for that purpose an amendment to the Bill, entitled "A Bill to incorporate certain Societies, Associations and Companies."

The following reports were ordered *to lie on the Table*.

Report of the Committee on the Judiciary

On the petition of J. J. Gibson.

Reports of the Committee on Public Buildings

On the presentments of the Grand Juries of Charleston District, respecting repairs to the present Jail, and recommending the construction of a new one, and

On the petition of the Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House.

Report of the Committee on Roads, Bridges and Ferries, on the petition of the Delegation of Beaufort District, praying aid in the construction of bridges and causeways over Coosawhatchie swamp and Cypress creek.

Report of the minority of the Committee on the Military, on a Bill to diminish the duties and reduce the salary of Adjutant and Inspector General.

Report of the Committee on Internal Improvements on the memorial of William Lawton and others; and on the report of the Senate's Committee on the memorial of the officers and directors of the South Carolina Institute.

Report of the Committee on Vacant Offices, on the resignation of the Hon. Josiah J. Evans.

Reports of the Committee on the Judiciary,

On the reports of the Clerks of the Senate and House on the Saxe Gotha Bill; and,

On the memorial of the Clerk of the Court of Appeals at Columbia; and,

The report of the Committee of Ways and Means, on the memorial of citizens of Sumter, for the charter of a Bank in Sumterville.

The House concurred in and ordered to be returned to the Senate the following reports:

Reports of the Committee on Claims,

On the account of Harrison & Norris; and,

On the account of W. W. Purse.

The House considered and agreed to the report of the Charleston Delegation on the petition of sundry citizens, praying that Little Coming's Creek be closed up; and also the counter petition thereto, recommending

that said Delegation report to this House at the next session of the General Assembly.

The House considered and agreed to the report of the Committee on the Military, on the petition of the commissioned officers of the Washington Light Infantry, praying a renewal of their charter, and the same was ordered to be sent to the Senate for their concurrence.

The House concurred in the following Resolutions from the Senate, and ordered them to be returned :

Resolution providing for sending certain books from the Legislative Library to the Mercantile Library Association of Charleston; and,

A Resolution in relation to claims for public printing.

The following reports from the Senate were considered and agreed to and were ordered to be returned :

Report of the Committee on the Military and Pensions,

On the petition of Robert Hopton; and,

Reports of the Committee on Claims and Grievances,

On the account of the proprietors of Charleston Mercury;

On the accounts of the proprietors of the South Carolinian; and,

On the account of Isaac Vansant,

The House considered and agreed to the report of the Committee on the Lunatic Asylum, on the reports of the Regent, the Physician, and the Superintendent; and on so much of the Governor's Message as relates to the Asylum.

On motion of Mr. MUNRO, the House was adjourned at 9 o'clock, P. M.

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WEDNESDAY, DECEMBER 8, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. WAGNER, leave of absence was granted to Mr. Burnet, for the remainder of the session, on account of illness in his family.

The SPEAKER laid before the House the private Annual Report of the President of the Bank of the State of South Carolina; which was



referred to the Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

The SPEAKER also laid before the House the account of T. W. Glover, Clerk of the House of Representatives, for stationary and postage; which was referred to the Committee on Claims.

The Senate returned to this House, with their concurrence,

The Reports of the Committee on Claims;

On the account of Dr. W. E. Miller;

On the account of Dr. David M. Lafitte;

On the claim of Dr. William L. Pickett;

On the account of Dr. T. W. Thompson;

On the petition of Dr. J. N. Lawrence;

On the account of Dr. N. H. Johnson, and

On the petition of Dr. S. B. Graham.

The Senate sent to this House, for concurrence, the report of the Committee on Claims and Grievances on the account of the proprietors of the Winyaw Observer, for public printing; which was referred to the Committee on Claims.

The Senate sent to this House,

A Bill to incorporate the Columbia Gas Light Company; which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act: ordered, that it be returned to the Senate.

The Senate sent to this House the following Bills; which were read the first time:

A Bill to establish a Bank in the town of Sumterville; was referred to the Committee of Ways and Means;

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina;

A Bill to incorporate a charitable association by the title of the Church Home; and

A Bill to incorporate the Columbia Building and Loan Association; were referred to the Committee on Incorporations.

The Senate returned to this House A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election Districts.

On motion of Mr. B. F. PERRY, the said Bill, and A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, were made the Special Order of the day for this day, at 1 o'clock, P. M.

Mr. W. R. JOHNSON presented the petition of the Commissioners of Public Buildings for Marion District, praying an additional appropriation ; which was referred to the Committee on Public Buildings.

Mr. J. B. CAMPBELL presented the petition of Thomas Lehre, Thomas N. Gadsden, and others, for a Charter of a Bank, to be called the People's Bank of South Carolina ; which was referred to the Committee of Ways and Means.

Mr. GADBERRY presented the account of John Gibbs, Sheriff, for furnishing blankets to the Jail of Union District ; which was referred to the Committee on Claims. Also, the report of John Gibbs, Ex-commissioner of Public Works for the year 1852 ; which was referred to the Committee on Internal Improvements.

Mr. KEITT presented the Return of the Secretary and Treasurer of the Board of the Commissioners of Free Schools for Orange Parish ; which was referred to the Committee on Education.

Mr. POPPENHEIM presented the petition of George H. Walter and W. G. DeSaussure, Captain and Lieutenant of the Washington Artillery, praying that a debt due by the said Company to the Citadel Academy may be remitted ; which was referred to the Committee on the Military.

Mr. TRADEWELL presented the report of the Comptroller General to whom was referred the accounts of James V. Adams, witness in contested elections from Richland District ; and,

Mr. TROTTI presented the Claims of Dr. J. H. Pooser for a *post mortem* examination ; which were severally referred to the Committee on Claims.

Mr. KERSHAW presented the account of Polk Robinson for keeping cannon ; which was referred to the Committee on the Military.

Mr. SULLIVAN, from the Committee on Education, made reports On the memorial of sundry citizens of Walterboro', praying the appointment of Trustees for the Walterboro' Academy,

On the petition of certain citizens of Greenville, in reference to a poll tax and free schools, and praying an increase of the free school fund by laying a poll tax, and

On the petition of Samuel A. Townes, asking a subscription on the part of the State to the publication of the lives and characters of eminent South Carolinians ; which were severally ordered for consideration tomorrow.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of Jephtha Dyson ;

On the petition of J. D. Aiken, Attorney of Robert Martin;

On A Bill to establish and incorporate a Bank in the Town of Chester, and,

On A Bill to aid in the construction of a plank road from Camden to some point or points on the North Carolina line in the direction of Concord, Munroe, and Charlotte in that State; which were severally ordered for consideration to-morrow.

Mr. HOPE, from the Committee on Public Buildings, made a report upon the presentment of the Grand Jury and the petition of the Commissioners of Public Buildings, for Newberry District, for an appropriation for a new Jail; which was ordered for consideration to-morrow.

Mr. SLOAN from the Committee on Privileges and Elections, to whom had been referred A Bill from the Senate to arrange this State into Districts, for the election of Representatives in the Congress of the United States and for other purposes, made a report; which was ordered for consideration to-morrow.

Mr. SLOAN, from the same Committee, to whom had been referred the communication of Mr. John C. Allen, a member of this House, respecting his eligibility to his seat, made a report; which was ordered for consideration to-morrow, and was ordered to be printed, together with the communication of Mr. Allen.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the report of the Senate's Committee on the Military and Pensions, on the petition of Delilah Williams; which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, made reports on the Senate's Resolution for the additional distribution of the first volume of Mr. Calhoun's works to the members of the Legislature; and

On the Senate's Resolution, providing that the Governor apply the unexpended balance of the sum appropriated for the publishing of Mr. Calhoun's works, to the publication of his life and speeches; which were ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, made a report,

On A Bill to exempt Apothecaries from liability to perform military duty;

Mr. J. I. INGRAM, from the Medical Committee, made reports,

On the report of the Senate's Committee on the Lunatic Asylum and Medical accounts, on the account of Dr. J. M. Carr;

On the account of Dr. J. R. McQueen ; and

On the report of the Senate's Committee on the Asylum and Medical accounts, on the account of Dr. George Pelzer ; which were ordered for consideration to-morrow.

Mr. DANTZLER obtained leave to withdraw the memorial of sundry citizens of St. Mathew's Parish, praying the re-construction of the Vance's Ferry Road across Santee Swamp.

Pursuant to notice and by leave of the House, Mr. HUNT introduced A Bill to define the power of Judges in punishing contempt of Court ; which was read the first time, and referred to the Committee on the Judiciary.

Mr. ASHMORE, from the Committee on Claims, made reports on

The account of Dr. W. S. Burgess ;

The account of Stephen Jackson ;

The account of A. Palmer ;

The account of James Adams ;

The accounts of P. M. Johnson ;

The account of Dr. H. DuBose ;

The account of Dr. J. Ford Priolean ;

The account of Dr. Peter Porcher ;

The account of Dr. R. A. Kinloch ;

The account of the Administrator of A. S. Johnston ; and

The account of Dr. J. P. Chazal ; which were severally ordered for consideration to-morrow.

Mr. B. F. PERRY submitted the following Resolution, which was ordered for consideration to-morrow.

*Resolved*, That His Excellency the Governor, be and is hereby instructed to subscribe on the part of the State for a sufficient number of copies of the "Lives and Sketches of eminent South Carolinians," a work proposed to be published by Samuel A. Townes, Esq., as will secure the publication of the same.

Mr. WILLIAMS submitted the following Resolution ; which was ordered for consideration to-morrow :

*Resolved*, That William C. Beatty be appointed a Commissioner to represent the stock of the State in the King's Mountain Rail Road Company.

Mr. B. F. PERRY submitted the following Resolutions :

*Resolved*, That the members of this House will attend the laying of the Corner Stone of the new Chapel of the College, on Friday morning next

at half-past nine o'clock, and that a message be sent to the Senate, requesting that body to unite with the House in their attendance.

*Resolved*, further, That the use of this Hall be allowed to President Thornwell, for the purpose of delivering his address in it, on the occasion referred to in the above resolution.

On motion of Mr. B. J. JOHNSON the first resolution was amended by striking out the words "half past;" and the resolutions thus amended were agreed to, and a message was sent accordingly.

Pursuant to notice, and by leave of the House,

Mr. BOYLSTON introduced a Bill to exempt the survivors of the South Carolina Volunteers in the Florida War, from Ordinary Militia duty; which was read the first time, and referred to the Committee on the Military.

The following Message was received from the Senate.

IN THE SENATE, December, 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate refuses to grant leave to your House to amend the report of the Senate, upon the accounts of the Charleston Mercury, by striking out the charge of nine dollars for printing the presentment of the Grand Jury, under order of Court.

The Senate grants leave to your House, further to amend the report of the Senate on the same subject, by striking out "the sum of twenty-nine dollars and twenty cents to be paid for printing proposals for the printing of the Senate and House of Representatives, done under the direction of the Clerk of the Senate," and recommending instead of that sum, the payment of twenty dollars.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House insisted on asking leave of the Senate to make the amendment proposed.

On motion of Mr. ASHMORE, a committee was ordered to be appointed, to confer with a similar committee on the part of the Senate, on the matters of difference between the two Houses, and a message was sent accordingly; whereupon, the SPEAKER appointed Messrs. Ashmore, Dean and Harrison, of the committee.

The Senate then attended and joined the House in the third ballot for a Law Judge.

Mr. McCRADY, from the Committee on Incorporations, to whom

were referred the petition of sundry citizens of the town of Newberry, praying for the incorporation of the Newberry Cemetery Association, and the petition of the Edgefield Odd Fellows & Masonic Building Association, made a report; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to amend the law in cases of appeal, was read the second time, and after debate thereon,

On motion of Mr. THOMSON, the further consideration of the Bill was indefinitely postponed.

The House then proceeded to the consideration of the

### SPECIAL ORDERS.

A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election Districts, was read the third time, and on the question being put, will the House agree thereto? It passed in the affirmative, two-thirds of the whole Representation in this House agreeing thereto.

Yeas, 86—Nays, 22.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bates,

Beaty,

Blakeney,

Blum,

Boykin,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Messrs. Carwile,

Cash,

Cauthen,

Christie,

Clarke,

Clawson,

Cooner,

Crosson,

Cruikshank,

Cureton,

Dantzler,

Dean,

Duncan,

Durant,

Ervin,

Fox,

Messrs. Gadberry,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 Harrison,  
 Hearst,  
 Hope,  
 Hudgens,  
 Hunt,  
 J. I. Ingram,  
 Tillman Ingram,  
 W. R. Johnson,  
 Jordan,  
 Kershaw,  
 Leitner,  
 Lesesne,  
 McKee,  
 McCrady,  
 McGowan,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Mobley,  
 Mullins,

Messrs. Munro,  
 Owens,  
 Patterson,  
 B. F. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sloan,  
 Steele,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly, and  
 Williams.

Those who voted in the negative are :

Messrs. Bailey,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden,  
 Hutson,  
 B. J. Johnson,  
 A. R. Johnston,  
 Keitt,  
 King,  
 Laurens,

Messrs. Lawton,  
 Manigault,  
 Moorer,  
 Murray,  
 J. B. Perry,  
 Read,  
 Seabrook,  
 Sinkler,  
 Stokes,  
 Tillinghast, and  
 Wescoat.

The Bill was then ordered to be sent to the Senate.

A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, was read a third time, and the question being put, Will the House agree thereto? it passed in the affirmative, two-thirds of the whole representation in this branch of the General Assembly agreeing thereto.

Yeas, 109—Nays, 00.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Beaty,

Blakeney,

Blum,

Boykin,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Carwile,

Cash,

Caughen,

Christie,

Clawson,

Cooner,

Crosson,

Cruikshank,

Cureton,

Dantzler,

Messrs. Dean,

Duncan,

Durant,

Elliott,

Ellis,

Ervin,

Flagg,

Fox,

Gadberry,

Garlington,

Gourdin,

Green,

Hammond,

Hampton,

Harrison,

Hearst,

Hope,

Hudgens,

Hunt,

Hutson,

J. I. Ingram,

Tillman Ingram,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

Keitt,



Messrs. Kershaw,  
 King,  
 Lanneau,  
 Laurens,  
 Lawton,  
 Leitner,  
 Lesesne,  
 McBee,  
 McCrady,  
 McGowan,  
 Manigault,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Mobley,  
 Moorer,  
 Morgan,  
 Mullins,  
 Munro,  
 Murray,  
 Owens,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Pickens,  
 Pitts,

Messrs. Poppenheim,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sinkler,  
 Sloan,  
 Springs,  
 Steele,  
 Stokes,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly,  
 Wescoat,  
 Williams, and  
 Witherspoon.

The House then resumed the consideration of the

#### GENERAL ORDERS.

A Bill to regulate the future issuing of grants of land, was read a second time, and the question being put, Shall the Bill be sent to the Senate? it was decided in the negative.

Yeas, 34—Nays, 72.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. J. B. Campbell,  
 Cruikshank,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden,  
 Garlington,  
 Hammond,  
 Hampton,  
 Howell,  
 Hunt,  
 Hutson,  
 B. J. Johnson,  
 Keitt,  
 King,  
 Launcean,  
 Laurens,

Messrs. McCrady,  
 McKnight,  
 Manigault,  
 Middleton,  
 Mitchell,  
 J. B. Perry,  
 Poppenheim,  
 Porcher,  
 Read,  
 Seabrook,  
 Seigling,  
 Sinkler,  
 Tradewell,  
 Trenholm,  
 Wagner, and  
 Wescoat.

Those who voted in the negative are,

Messrs. Alexander,  
 Allen,  
 Anderson,  
 Ashmore,  
 Bates,  
 Beaty,  
 Blakeney,  
 Boykin,  
 Boylston,  
 Brown,  
 Broyles,  
 R. E. Campbell,  
 Carwile,  
 Cash,  
 Cauthen,  
 Christie,  
 Clawson,  
 Cooner,  
 Crosson,  
 Careton,

Messrs. Dantzer,  
 Duncan,  
 Durant,  
 Ervin,  
 Fox,  
 Gadberry,  
 Green,  
 Harrison,  
 Hearst,  
 Hope,  
 Hudson,  
 J. I. Ingram,  
 TillmanIngram,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 Kershaw,  
 Lawton,  
 Leitner,  
 McBee,

Messrs McGowan,

Maybin,

Melton,

Mobley,

Moorer,

Morgan,

Mullins,

Munro,

Murray,

Owens,

Patterson,

B. F. Perry,

Pickens,

Pitts,

Rice,

Rosborough,

Messrs. Shedd,

Sloan,

Springs,

Steele,

Stokes,

Sullivan,

Thomson,

Thornwell,

Trotti,

Tucker,

Vance,

Walker,

Wallace,

Weatherly,

Williams, and

Witherspoon.

Mr. MULLINS, from the Committee appointed to count the votes cast on the third ballot for a Law Judge, reported that T. W. Glover had received 99 votes, which is a majority; whereupon the SPEAKER announced that Thomas W. Glover, is duly elected a Law Judge of this State.

Mr. DUNCAN submitted the following resolutions,

*Resolved*, That it is a matter of great importance to the House, that Thowas W. Glover, who has just been elected a Law Judge of this State, **should continue to discharge the duties of Clerk till the end of the present session of the Legislature.**

*Resolved, further*, that Mr. Glover be, and he is hereby requested to continue to discharge the duties of Clerk of this House, till the adjournment of the present session of this Legislature.

Mr. MIDDLETON moved to amend the resolutions by striking out all after the word "Resolved," in the first resolution, and inserting the following:

1. *Resolved*, That this House, about to part forever with the Hon. T. W. Glover, cannot do so without expressing their sincere regret at closing a connection with their valued officer, which has endured so long and so advantageously to them and their constituents.

2. *Resolved*, That this House most heartily concur in tendering to their retiring officer their most earnest and cordial wishes for his future prosperity and success.

3. *Resolved*, That Mr. Glover be requested to retain his present office until a successor is appointed.

A Division of the question was called for, and the question being put, will the House amend by striking out and inserting the first and second resolutions : it passed in the affirmative.

On motion of Mr. J. B. CAMPBELL, the word "unanimously" was inserted after the word "Resolved," in the 1st and 2nd Resolutions.

On motion of Mr. B. F. PERRY, the debate was adjourned to 12 M. to-morrow.

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to alter and amend the Charter of the City of Charleston, so as to make the election of Mayor and Aldermen biennial, and fixing the time for the first Wednesday in November ; was called for a second reading, and, on motion of Mr. McCRADY, was ordered to *lie on the Table*.

A Bill from the Senate to change the day for the election of, and, the term of office of, the Mayor and Aldermen of the City of Charleston ; was read the second time, and

The title of the Bill was changed, by adding the words, "and for other purposes," and thus amended the Bill was ordered to be sent to the Senate.

Mr. J. B. CAMPBELL gave notice, that at the third reading of the Bill, he would move to amend the Bill, by substituting May for November.

A Bill to amend the Charter of the City of Charleston, in relation to the qualification of voters at city elections, for Mayor and Aldermen, was called for a second reading ; and, on motion of Mr. McCRADY, was ordered to *lie on the Table*.

A Bill to alter and amend the law in relation to the Education of the Deaf and Dumb of this State ; and

A Bill to vest in William H. Trapp the exclusive right to navigate Little River ; were read the second time, and was ordered to be sent to the Senate.

Business was suspended at 4 o'clock, until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

A Bill from the Senate, to incorporate the Johnson Female University was read a second time, and was ordered to be returned to the Senate.

The report of the Minority of the Committee on the Judiciary, on a Resolution from the Senate to increase the compensation of the Clerk of the Court of Appeals, at Columbia, was ordered to *lie on the Table*.

A Resolution to adjourn the present session of the General Assembly on the 14th instant; and

Resolutions, declaring it impolitic for the State to make further loans on the credit of the State, and limiting the amount of capital of banks hereafter to be chartered, were severally ordered to *lie on the Table*.

The following Reports were considered, and agreed to, and were ordered to be sent to the Senate :

Report of the Committee on Public Buildings upon the petition of the Commissioners of Public Buildings of Edgefield District, praying an appropriation for a New Jail; and

The Report of the Committee on Claims on the account of J. Ford Prioleau.

The House considered and agreed to a Resolution, directing the Committee on Internal Improvements to inquire into the condition of the Rocky Mount Canal, and the expediency of selling the same.

The House also agreed to a Resolution, instructing the Committee on the State House and Grounds to inquire into the expediency and cost of lighting the State House and Grounds with gas.

A Resolution requesting the Returns of Commissioners of Free Schools to be made conformably to law, was considered and agreed to, and ordered to be sent to the Senate.

The House agreed to the following reports;

Report of the Committee on the Judiciary on the Senate's report on the memorial of the Clerk of the Court of Appeals at Columbia.

Report of the Committee on Claims, on the account of James Thwing.

On motion of Mr. LEITNER, the report of the Committee on Internal Improvements on the memorial of William Lawton and others, and on the report of the Senate's Committee on the memorial of the officers and Directors of the South Carolina Institute, was *taken up*, and the question being put, Will the House concur in the Senate's report? it passed in the affirmative.

Yeas, 50—Nays, 48.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are,

## The Hon. JAMES SIMONS, Speaker, and

|                 |                  |
|-----------------|------------------|
| Messrs. Allen,  | Messrs. McCrady, |
| Ashmore,        | McGowan,         |
| Boylston,       | McKnight,        |
| J. B. Campbell, | Maybin,          |
| Cauthen,        | Middleton,       |
| Clarke,         | Mitchell,        |
| Cruikshank,     | Morgan,          |
| Duncan,         | Murray,          |
| Durant,         | B. F. Perry,     |
| Elliott,        | J. B. Perry,     |
| Flagg,          | Poppenheim,      |
| Gadsden,        | Porcher,         |
| Gourdin,        | Read,            |
| Hammond,        | Reynolds,        |
| Hampton,        | Seabrook,        |
| Harrison,       | Seigling,        |
| Hearst,         | Steele,          |
| J. I. Ingram,   | Stokes,          |
| Jordan,         | Trenholm,        |
| King,           | Tucker.          |
| Lanneau,        | Vance,           |
| Laurens,        | Wagner,          |
| Lawton,         | Wescoat, and     |
| Leitner,        | Witherspoon.     |
| Lesesne,        |                  |

Those who voted in the negative, are

|                 |                  |
|-----------------|------------------|
| Messrs. Bailey, | Messrs. Clawson, |
| Bates,          | Cooner,          |
| Beaty,          | Crosson,         |
| Blakeney,       | Cureton,         |
| Brown,          | Dantzler,        |
| Burt,           | Ellis,           |
| Byrd,           | Fox,             |
| R. E. Campbell, | Gadberry,        |
| Carwile,        | Hope,            |
| Cash,           | Hudgens,         |
| Christie,       | Hutson,          |

Messrs. Tillman Ingram,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 McBee,  
 Manigault,  
 Melton,  
 Mobley,  
 Moorer,  
 Mullins,  
 Patterson,  
 Pitts,  
 Rice,

Messrs. Rosborough,  
 Shedd,  
 Sloan,  
 Springs,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tradewell,  
 Trotti,  
 Walker,  
 Wallace,  
 Weatherly, and  
 Williams.

On motion of Mr. HUTSON, the report of the Committee on Roads, Bridges and Ferries, on the petition of the delegation from Beaufort was *taken up*, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 41—Nays, 46.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Bailey,  
 J. B. Campbell,  
 Cruikshank,  
 Durant,  
 Elliott,  
 Ellis,  
 Gadsden,  
 Hampton,  
 Hutson,  
 J. I. Ingram,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 King,  
 Lanneau,  
 Laurens,

Messrs. Lawton,  
 Lesesne,  
 McKnight,  
 Manigault,  
 Middleton,  
 Moorer,  
 Mullins,  
 Murray,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Porcher,  
 Read,  
 Reynolds,  
 Seabrook,  
 Seigling,

Messrs. Sloan,  
Stokes,  
Thornwell,  
Trenholm,

Messrs. Trotti,  
Walker,  
Weatherly, and  
Wescoat.

Those who voted in the negative are

Messrs. Alexander,  
Ashmore,  
Bates,  
Beaty,  
Blakeney,  
Brown,  
Burt,  
Byrd,  
R. E. Campbell,  
Cash,  
Christie,  
Clarke,  
Clawson,  
Cooner,  
Crosson.  
Cureton,  
Dantzler,  
Duncan,  
Fox,  
Gadberry,  
Gourdin,  
Hammond,  
Harrison,

Messrs. Hearst,  
Hope,  
Hudgins,  
Tillman Ingram,  
B. J. Johnson,  
McBee,  
McGowan,  
Maybin,  
Milton,  
Mobley,  
Morgan,  
Pitts,  
Poppenheim  
Rosborough,  
Shedd,  
Springs,  
Sullivan,  
Tradewell,  
Tucker,  
Vance,  
Wallace,  
Williams, and  
Witherspon.

The following messages were received from the Senate.

IN THE SENATE, Dec. 8, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate insists on refusing leave to your House to amend the report of the Committee on Claims and Grievances, of the Senate, on the account of the Charleston Mercury newspaper, by striking out nine dollars for printing the presentment of the Grand Jury under the order of the Court. Senate concurs in the proposal of your House, to refer the subjects of difference between the two Houses, to a committee of conference, and



have appointed Messrs. Dudley and Barker the committee on the part of the Senate on this subject.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate accepts the invitation of your House to unite with your House, in attending the ceremony of laying the Corner Stone of the New Chapel of the South Carolina College, on Friday morning, at 9 A. M. and the address of President Thornwell in the Hall of the House of Representatives on the same day.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was also received from the Senate:

IN THE SENATE, Dec. 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Claims, of your House, on the account of Dr. J. H. Boatwright, by striking out "eighty-seven dollars" for the purpose of inserting "ninety-four dollars."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House granted leave to the Senate to make the amendment and an answer was returned.

On motion of Mr. SLOAN, the report of the Committee of Public Buildings on the petition of the Commissioners of Public Buildings of Pickens District, praying for an appropriation to erect a portico and steps to the Court House, was *taken up*, was agreed to, and was ordered to be sent to the Senate for concurrence.

The Senate sent to this House the following Bills, which were read the first time,

A Bill to authorize the State to afford aid to the Pendleton Rail Road Company, and,

A Bill to incorporate the Farmers' and Exchange Bank of Charleston, South Carolina ; were severally referred to the Committee of Ways and Means.

A Bill to alter and amend an Act, entitled " An Act to incorporate the

North Eastern Rail Road Company; was referred to the Committee on Incorporations.

The Senate returned to this House An Act to open and extend Pitt-st. in the town of Mount Pleasant, to Hibben-street; which was committed to the Committee on Engrossed Acts.

On motion of Mr. B. F. PERRY the House was adjourned at 12 minutes after 8 o'clock, P. M.

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THURSDAY, DECEMBER 9, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. OWENS presented the petition of Elizabeth Counts, praying that the estate of A. J. Counts, an illegitimate, may be vested in her; which was referred to the Committee on the Judiciary.

Mr. GARLINGTON presented the petition of the Commissioners of Roads of Newberry District, praying the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CAUTHEN presented the account of R. S. Bailey, for public printing; which was referred to the Committee on Claims.

Mr. LAURENS presented the return of the Commissioners of Free Schools for St. Thomas and St. Dennis, for 1852; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the counter petition of Elizabeth P. Pinckney, praying that the road from Lloyd's Spring to Ashepoo road may not be opened; and,

Mr. STOKES, the petition of sundry citizens of St. Bartholomew's Parish, praying for leave to open a public road from Lloyd's Spring, on the Savannah road, to the Ashepoo road; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MELTON presented the petition of Ellen Servis, praying compensation for property taken by the enemy in the Revolutionary war; which was referred to the Committee on Pensions.

Mr. HAMMOND presented the petition of Daniel Mahony, praying to

be paid for service rendered in the education of poor children ; which was referred to the Committee on Education.

Mr. CLAWSON presented the petition of sundry citizens of York District, praying for leave to sell their jail lot and jail, and to purchase with the proceeds of the sale a new site for a jail ; which was referred to the Committee on Public Buildings.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom was referred the report of the Comptroller General, reported

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and fifty-two ; and,

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty-two ; which were severally read the first time, and were ordered to be read the second time to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred,

A Bill from the Senate to prevent obstructions to the passage of fish up Lynch's creek ; and,

A Bill to amend an Act, entitled " An Act to provide for the inspection of Flour," made reports ; which were severally ordered for consideration to-morrow.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred a Bill from the Senate to confer certain rights on the Hebrew congregation in the city of Charleston, in relation to a piece of land by them held, made a report ; which was ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report on the following Bills from the Senate :

A Bill to alter and amend an Act, entitled " An Act to incorporate the North Eastern Rail Road Company ;"

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina ;

A Bill to incorporate a Charitable Association by the title of the " Church Home ;" and,

A Bill to incorporate the Columbia Building and Loan Association.

Mr. McGOWAN, from the Committee on the Military, to whom was referred,

A Bill to exempt the survivors of the South Carolina volunteers in the Florida war from ordinary militia duty, made a report ; which was ordered for consideration to-morrow.

Mr. BOYLSTON, from the Committee on the Judiciary, to whom was referred a Bill to alter the sittings of the Courts of Law on the Northern Circuit, made a report; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports,

On the account of James U. Adams;

On the accounts of Thomas W. Glover, Clerk of the House of Representatives;

On the report of the Senate's Committee on Claims, on the account of the proprietors of the Winyaw Observer;

On the account of Dr. J. H. Pooser; and,

On the account of John Gibbs, Sheriff of Union.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Dr. J. C. Lanier; and

Mr. CHRISTIE obtained leave to withdraw the same.

Mr. GARLINGTON presented the accounts of James Bonds, Jailor of Newberry, and of P. Kinard, Jailor of Newberry; which were referred to the Committee on Claims.

Mr. LESESNE, from the Committee on the Judiciary, to whom had been referred the petition of Robert Adger, Executor of C. B. S. Gulden, reported

A Bill to vest the right which the State may have in certain real estate in Robert Adger, Executor of Christina B. S. Gulden; which was read the first time, and ordered to be read the second time to-morrow.

Mr. CARWILE presented the petition of H. R. Spann, Jailor of Edgefield, praying to be paid his account against the State; which was referred to the Committee on Claims.

Mr. WAGNER, from the Committee on the State House and Grounds, to whom was referred a Resolution of inquiry into the expediency of lighting the State House and Grounds with Gas, made a report; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. HEARST, from the Abbeville delegation, to whom was referred the annual report of the Trustees of the estate of Dr. John De La Howe, for November, 1852, made a report; which was ordered for consideration to-morrow.

Mr. GOURDIN, from the Committee of Ways and Means, to whom was referred the petition of Thomas Lehre, Thomas N. Gadsden, and others, for the charter of a Bank, to be called the People's Bank of South Carolina, made a report; which was ordered for consideration to-morrow.

Mr. OWENS submitted the following Resolutions ; which were ordered for consideration to-morrow :

*Resolved*, That the printer of the House be authorized to print two thousand copies of Evans' Digest of the Road Law, with the 16th section of the Road Act of 1851, as well as such Acts and sections of Acts in reference to the powers and duties of Commissioners of Roads as may be passed at this session of the Legislature, appended thereto ; and that he be allowed for printing the same the sum of                      dollars.

*Resolved*, That the same be deposited with the Secretary of State, to be distributed as follows : two copies each to the members of the Senate and House of Representatives, five copies to the Legislative Library, two copies each to the Attorney General and Solicitors, and the remainder, if so many be necessary, to the Commissioners of Roads, to be distributed at the same time the Acts are distributed, by depositing with the Clerks of the Courts of each District a number sufficient to supply each Commissioner of such District with a copy ; that the Clerks of the Courts respectively deliver to the Chairman of the respective Boards, a number sufficient to supply each member with a copy, which shall be turned over to his successor ; and that in order to a correct distribution, the Secretary of State ascertain, by writing to the Clerks of the Courts of the different Judicial Districts, the number of Commissioners for each District.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following Bills were read a second time, and were ordered to be sent to the Senate :

A Bill to declare a certain description of streams navigable, and for other purposes ; and,

A Bill to alter and amend an Act, entitled " An Act to provide for the defence of the State ;"

A Bill to punish trespasses on real property, was read the second time, and the question being put, Shall the Bill be sent to the Senate ? it was decided in the negative.

On motion of Mr. McCRADY,

A Bill to incorporate the village of Bluffton, in St. Luke's Parish, South Carolina, was ordered to *lie on the Table*.

A Bill from the Senate to incorporate the town of Bluffton, was read the second time, and was ordered to be returned to the Senate.

Message No. 5 was received from His Excellency the Governor, trans-

mitting his contingent accounts, and announcing that his term of office was about to expire.

On motion of Mr. READ, it was ordered that a committee be appointed to examine the Governor's contingent accounts; and that a message be sent to the Senate, proposing the appointment of a similar committee to join the committee of this House, whereupon the SPEAKER appointed Messrs. Read, Hampton and Reynolds of the Committee, and a message was sent accordingly.

On motion of Mr. ASHMORE, a message was ordered to be sent to the Senate, proposing to go into an election for Governor, this day, at 1 o'clock, P. M.; and

On motion of Mr. MULLINS it was also ordered that a Message be sent to the Senate, proposing to go into an election for Lieutenant Governor immediately thereafter.

The House then proceeded to the consideration of Resolutions submitted yesterday by Mr. Middleton, respecting the withdrawal of Thomas W. Glover from the office of Clerk of the House, which had been made the special order of the day, for this day, at 12 o'clock, M.

On motion of Mr. BOYLSTON the special order was temporarily discharged.

The SPEAKER laid before the House the following communication :

*To the Honorable James Simons,*

*and the Members of the House of Representatives :*

GENTLEMEN,—I resign the office of Clerk of the House of Representatives. In the performance of its duties, your confidence has always sustained and encouraged me, and my labors have been made easy by your kindness. I accept the office of Law Judge, to which I have been elected by the General Assembly.

I have the honor to be, very respectfully,

Your obedient servant,

THOMAS W. GLOVER.

December 9, 1852.

On motion of Mr. ASHMORE,

*Resolved*, That the resignation of the Hon. T. W. Glover, as Clerk of this House, be accepted,—that Mr. C. H. Simonton be requested to act as Clerk, *pro tempore*, and that the House forthwith proceed to ballot for a Clerk of the House.

The House then resumed the consideration of the special order, and agreed to the 1st and 2d resolutions submitted yesterday, by Mr. Middle-

ton, respecting the withdrawal of Thomas W. Glover from the office of Clerk of the House.

The following message was received from the Senate, and on motion of Mr. ASHMORE, was ordered *to lie on the Table*.

IN THE SENATE, December 8, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives ;*

Senate proposes to your House to go into an election for Governor tomorrow at half-past twelve o'clock, P. M., and immediately after into an election for Lieutenant Governor.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House then proceeded to the first ballot for Clerk of the House of Representatives.

The following Messages were received from the Senate :

IN THE SENATE, December 9, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate concurs in the Message from your House, requesting Senate to appoint a similar committee to the committee appointed by your House, to examine the contingent accounts of the Governor, and has appointed Messrs. Carn and Gist a special committee for that purpose.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 9, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives ;*

Senate concurs in the proposal of your House, to go into an election for Governor, to-day at 1 o'clock, and immediately thereafter into an election for Lieutenant Governor.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House then resumed the consideration of the

#### GENERAL ORDERS.

A Bill to amend an Act, entitled "An Act to incorporate the Commercial Insurance Company," was read the second time, and was ordered to be sent to the Senate.

The Senate then attended, and joined the House in a ballot for Governor.

Mr. MURRAY, from the Committee appointed to count the votes cast on the first ballot for Clerk of the House, reported that no candidate had received a majority, and that consequently there was no election.

The Senate then attended, and joined the House in a ballot for Lieutenant Governor.

Mr. PATTERSON, from the Committee appointed to count the votes cast for Governor, reported that John L. Manning had received 126 votes, and that 75 was a majority; whereupon, the SPEAKER announced that John L. Manning is elected Governor of South Carolina.

The House then proceeded to a second ballot for Clerk of the House.

On motion of Mr. KEITT, it was ordered that a Committee be appointed to wait on the Governor elect, and inform him of his election, and to inquire when he will be pleased to qualify: whereupon, the SPEAKER appointed Messrs. Keitt, Read and Wagner of the Committee.

The House then resumed the consideration of the

#### GENERAL ORDERS.

A Bill to incorporate the Beaufort Female Seminary, was read the second time, and was ordered to be sent to the Senate.

A Bill to incorporate the Beaufort and Columbia Loan and Building Associations, was read the second time, and was ordered to be sent to the Senate.

A Bill to incorporate the "German Artillery Company and Charitable Society of Charleston," on motion of Mr. McCRADY, was ordered *to lie on the Table*.

Mr. PICKENS, from the Committee appointed to count the votes cast for Lieutenant Governor, reported, that James H. Irby received 82 votes, and that 74 is a majority; whereupon,

The SPEAKER announced that James H. Irby is elected Lieutenant Governor of South Carolina.

A Bill to alter and amend an Act, entitled "An Act concerning the office and duties of Magistrates," was read the second time, and

On motion of Mr. ANDERSON, the Bill was ordered *to lie on the Table*.

A Bill to alter and amend an Act entitled, "An Act to authorize the State to aid in the construction of the Spartanburgh and Union Rail Road, was read the second time, and was ordered to be sent to the Senate.



A Bill to authorize the State to grant additional aid in the construction of the Spartanburgh and Union Rail Road, was ordered *to lie on the Table*.

Mr. PORCHER, from the Committee appointed to count the votes cast on the second ballot for Clerk, reported that no candidate had received a majority, and that consequently there is no election.

The House then proceeded to a third ballot for Clerk of the House.

On motion of Mr. TUCKER, it was ordered that a message be sent to the Senate that C. H. Simonton is discharging *pro tem.* the duties of Clerk.

Mr. KEITT, from the Committee appointed to wait on the Governor elect, reported that they had performed that duty, and that the Governor elect will be prepared to qualify on Monday next, at 1 o'clock, P. M.

On motion of Mr. KEITT, it was ordered that a Committee be appointed to make arrangements for the inauguration of the Governor: whereupon, the SPEAKER appointed Messrs. Keitt, Read, Wagner and Springs of the Committee.

A Bill to alter and amend the law in relation to the collection of debts from free persons of color, was called for a second reading, and was ordered *to lie on the Table*.

A Bill to secure Planters and Factors from frauds, under pretence of cash sales of produce, was read the second time, and was ordered to be sent to the Senate.

At five minutes past 4 o'clock, P. M., business was suspended until 8 o'clock, P. M.

#### RECESS.

When the SPEAKER took the Chair,

Mr. LEWIS O'BRYAN, a member elect from St. Bartholomew's, appeared, produced his credentials, was sworn and took his seat.

Mr. STOKES presented the petition of the Lower Boards of Commissioners of Roads, in St. Bartholomew's Parish, praying that the two boards of the said Parish may not be united, and also the petition of E. S. P. Bellinger for himself and others, praying that a certain road in St. Bartholomew's Parish may not be made public, as prayed for by the Commissioners of Roads of said Parish; which were severally referred to the Committee on Roads, Bridges, and Ferries.

Mr. MELTON presented the petition of sundry citizens of Chester District, praying the incorporation of a Bank in the town of Newberry; which was referred to the Committee of Ways and Means.

The House resumed the consideration of the

## GENERAL ORDERS.

A Bill concerning derelict estates and the partition and sale of real estate by the Ordinary, was read the second time, and was ordered to be sent to the Senate.

Mr. RICE, from the committee to count the votes cast on the fourth ballot for Clerk, reported that no candidate had received a majority, and that, consequently, there was no election.

The House then proceeded to a fourth ballot for Clerk of the House.

Under the order of the House the SPEAKER adjourned the House at 10 o'clock, P. M.

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FRIDAY, DECEMBER 10, 1852.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The House then joined the procession and attended the ceremonies observed in the laying of the Corner Stone of the new Chapel.

The Senate sent to this House, with their concurrence, the following reports.

Reports of the Committee on Claims, on

The account of W. W. Purse.

The account of W. H. Trimmier.

The account of the Charleston Mercury.

The petition of Sarah Branch.

The account of R. W. Gibbes, assignee of I. C. Morgan.

The account of Dr. W. J. David.

The account of Dr. C. J. Flinn.

The account of Dr. N. Henry.

The account of Dr. John H. Henry, and

The account of Dr. W. D. Wallace.

Report of the Committee on the Legislative Library, on resolutions of inquiry into the propriety of purchasing the Bust of the late J. C. Calhoun, by Powers.

Report of the Committee on Claims,

On the account of the Southern Rights Advocate.

On the account of Dr. John J. Bossard.

On the account of Dr. B. T. Yarborough.

On the account of Dr. J. H. Boatwright.

Reports of the Committee of Ways and Means,

On the disbursement of the Transient Poor Fund in Georgetown.

On the Report of the President of the Charlotte Rail Road Company,  
and

On the abstract of expenditures for City and Transient Poor of Charleston, for the year 1852.

The following message was received from the Senate.

IN THE SENATE, Dec. 9, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House, to amend the report of the Committee on Claims of your House, on the account of S. J. Rice, for public printing, by adding the following proviso—Provided, that before the payment of the same, it shall be proved to the satisfaction of the Treasurer of the Upper Division, that the election notice charged for, was not also published in the Anderson Gazette, and made the subject of a claim against the State by the Editor of that paper; in which event, the sum of \$6 25 cents only, are to be paid on the account of the said S. J. Rice.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, the House refused to grant leave to the Senate to make the amendment, and an answer was returned.

The Senate sent to this House the following Bills; which were read the first time.

A Bill to revive and amend an Act, entitled "An Act to establish and incorporate a Bank in the town of Winnsborough," and

A Bill to establish and incorporate the Western Bank of South Carolina, to be located in the town of Anderson; were referred to the Committee of Ways and Means.

A Bill to incorporate the Fireman's Insurance Company of Charleston, and

A Bill to regulate the Agencies of Foreign Insurance Companies, and

A Bill to authorize the South Carolina Rail Road Company, to build a certain bridge over the Congaree river; were referred to the Committee on Incorporations.

A Bill to vest the right which the State may have in certain real estate, in Robert Adger, executor of C. B. S. Gulden, was referred to the Committee on the Judiciary.

The Senate sent to this House for concurrence, the following reports:

Report of the Committee on the Lunatic Asylum and Medical Accounts, on the report of the Regents, and on so much of the Governor's Message as relates to the Asylum; which was referred to the Committee on the Lunatic Asylum.

Report of the Committee on the Military and Pensions, on the petition of Oliver Fowler, praying that certain claims may be audited; which was referred to the Committee on the Military.

Report of the Committee on the College, Education and Religion, upon the report of the Vestry of the Parish Church of St. James, Goose Creek, upon the Ludlam School Fund—and also upon the report of the Attorney General upon the same subject; which was referred to the Committee on Education.

The Senate sent to this House, a Bill to incorporate Johnson Female University; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act:—Ordered that it be returned to the Senate.

The Senate returned to this House, a Bill to prevent obstructions to the passage of fish up Lynch's Creek; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act: Ordered that it be sent to the Senate.

Mr. SINKLER, from the Committee appointed to count the votes cast on the fourth ballot for Clerk, reported that no candidate had received a majority, and that, therefore, there was no election.

The House then proceeded to a fifth ballot for Clerk.

The Senate sent to the House, a Bill to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, and that it be called an Act:—Ordered that it be returned to the Senate.

Mr. STEELE, from the Committee appointed to count the votes cast on the fifth ballot for Clerk, reported that no candidate had received a majority, and that, consequently, there was no election.

The House then proceeded to the sixth ballot for Clerk.

The Senate returned to this House the following bills; which were read the third time:

A Bill to Incorporate the village of Cokesbury.

A Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary Military duty.

A Bill to charter the Lancaster Rail Road Company and for other purposes.

A Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature.

A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the town of Moultrieville, and to remove all obstructions in such streets.

*Resolved*, That they do pass, that the titles thereof be changed, and that they be called Acts. Ordered that they be sent to the Senate.

Mr. THOMPSON, from the Committee appointed to count the votes, cast on the sixth ballot for Clerk, reported that no candidate had received a majority, and that consequently there was no election.

The House then proceeded to a seventh ballot for Clerk.

Mr. OWENS, from the Special Joint Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, reported for President, C. M. Furman; and for Directors, Elisha Carson, P. M. Cohen, J. L. Gantt, W. A. Wardlaw, E. W. Mathews, W. C. Dukes, R. G. Stowe, J. P. Deveaux, G. H. Walter, H. F. Strohecker and Thomas Lehre.

On motion of Mr. OWENS, the Report was ordered to *lie on the table*, and be printed.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports,

On a Bill from the Senate to renew the charter of the Planters' and Mechanics' Bank of South Carolina.

On a Bill from the Senate to establish a Bank in the town of Sumpter-ville.

On a Bill from the Senate to Incorporate the Exchange Bank in the town of Columbia.

On a Bill from the Senate to Incorporate a Bank in the town of Chester.

On a Bill from the Senate to authorize the State to afford aid to the Pendleton Rail Road Company.

On a Bill from the Senate to Incorporate the Farmers' and Exchange Bank of Charleston, South Carolina.

On a Bill from the Senate to Incorporate a Bank in the town of Newberry.

On a Bill from the Senate to renew the charter of the Union Bank of South Carolina, and

On a Bill from the Senate to renew the charter of the Commercial Bank of Columbia, South Carolina; which were severally ordered for consideration to-morrow.

Mr. REYNOLDS, from the Charleston Delegation, to whom had been referred a Bill to establish the Line of the Channel of Ashley River, adjacent to the city of Charleston, made a report; which was ordered for consideration to-morrow.

Mr. PITTS, from the Committee on District Officers and Offices, to whom had been referred a Bill to amend the law in relation to Sheriffs, made a report; which was ordered for consideration to-morrow.

Mr. KERSHAW, from the same Committee, made reports

On a Bill to alter and amend an Act, entitled an Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices; and

A Bill to compel each district and parish in the State to pay the expenses of their respective contested elections for members of either branch of the Legislature, and also on the petition of citizens of Darlington, praying the appointment of an additional Magistrate; which were ordered for consideration to-morrow.

Mr. KERSHAW, from the same Committee, made a report on the reports of the Attorney General and Solicitors; which was ordered for consideration to-morrow.

Mr. LESESNE, from the Committee on the Judiciary, made a report on a Bill from the Senate to vest the right which the State may have in certain real estate in Robert Adger, executor of Christina B. S. Gulden; which was ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, made a report on a Bill to amend an Act, entitled an Act to amend the law in relation to the harboring of deserted seamen; which was ordered for consideration to-morrow.

Mr. WAGNER, from the Committee on the State House and Grounds, made a report on the house of the Keeper of the State House; which was ordered for consideration to-morrow.

Mr. ALLEN presented the petition of citizens of Edgefield, praying for a division of said district into two judicial districts; which was referred to the Committee on the Judiciary.

Mr. TRADEWELL, from the Committee appointed to count the votes cast on the seventh ballot for Clerk, reported that no candidate had received a majority, and that, therefore, there was no election.

The House then proceeded to an eighth ballot for Clerk of the House.

Mr. B. F. PERRY submitted the following Resolutions; which were ordered to be considered immediately, and were agreed to.

*Resolved*, That President Thornwell be requested to furnish this General Assembly, for publication, a copy of his able and eloquent address at the laying of the corner stone of the New Chapel of the College.

*Resolved*, That a Committee of three, on the part of this House, be appointed to meet a similar Committee, on the part of the Senate, to procure the address, and superintend the publication and distribution of the same. Whereupon, the SPEAKER appointed Messrs. B. F. Perry, Mitchell and Sullivan, of the Committee, and a message was sent accordingly.

Mr. ASHMORE, from the Committee on Claims made reports

On the account of James Bonds.

On the account of S. D. Kinard.

On the account of R. S. Bayly, and

On the account of H. R. Spann; which were ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee of Conference, on the differences between the two houses respecting the accounts of the Charleston Mercury, reported and recommended that the House insist on asking leave of the Senate to make the amendments proposed.

Mr. ASHMORE, from the same Committee, to whom was referred the differences between the two houses respecting the Charleston Courier, reported and recommended that the House insist on refusing to grant leave to the Senate to make the amendments proposed for advertising the presentment of the Grand Jury, and recommend that the House grant leave to the Senate to amend the report by allowing \$3 90 for advertising Court of Appeals order of Docket.

Mr. TUCKER, from the Committee appointed to count the votes cast on the eight ballot for Clerk, reported that H. J. Dean received seventy-four votes, and that fifty-five is a majority, whereupon the SPEAKER announced that H. J. Dean is duly elected Clerk of the House of Representatives.

The SPEAKER announced the appointment of the following Committees of Inspection for the Bank of the State of South Carolina and its Branches.

At Charleston.—Messrs. John F. Poppenheim, James Sinkler, J. J. Ingram.

At Camden.—Messrs. Charles Boykin and C. D. Melton.

At Columbia.—Messrs. Trotti, Garlington and Sloan.

Mr. TRADEWELL submitted the following resolution ; which was ordered to be considered immediately, and was agreed to.

*Resolved*, That Professor Reynolds be requested to furnish for publication a copy of his Inaugural Address, and that a committee of three be appointed to wait on Professor Reynolds, and present the request.

Whereupon the Speaker appointed Messrs. Tradewell, Boylston and Kershaw of the committee.

Mr. HUNT submitted the following resolution ; which was ordered for consideration to-morrow.

*Resolved*, That the Judges of the Courts of Law and Equity be authorized to direct such matters as they may deem necessary for public information, to be printed in such papers as they may deem best calculated to extend the information necessary, and the same shall be audited and paid for as other accounts against the State.

At 4 o'clock P. M., under the order of the House, business was suspended until 6 o'clock, P. M.

## RECESS.

When the SPEAKER took the Chair,

The House resumed the consideration of the

## GENERAL ORDERS.

A Bill in relation to the qualification of Jurors and for other purposes, was called for a second reading, and on motion of Mr. ASHMORE was ordered to *lie on the Table*.

A Bill to alter and amend the amendment of the Constitution of this State, ratified on the 19th of December, one thousand, eight hundred and ten, was called for a second reading, and, on motion of Mr. ASHMORE, was ordered to *lie on the Table*.

A Bill to declare and amend the law in relation to words of limitation in Deeds and Wills was called for a second reading, and, on motion of Mr. HUTSON, was ordered to *lie on the Table*.

A Bill from the Senate to declare and amend the law in relation to words of limitation in Deeds and Wills was read the second time, and was ordered to be sent to the Senate.

The SPEAKER laid before the House the following communication :



COLUMBIA, Dec. 10, 1852.

*To the Hon. James Simons,**Speaker of the House of Representatives :*

DEAR SIR,—I accept the office of Clerk of the House, to which I have been elected.

My seat as a member of the House of Representatives is therefore vacant.

Very respectfully, your ob't serv't,

H. J. DEAN.

The SPEAKER then administered the constitutional oath of office to H. J. Dean, the Clerk elect.

A Bill to extend the charter of the Bank of the State of South Carolina, was read the second time.

Mr. MIDDLETON moved as an amendment to the Bill, the following additional section.

“That it is hereby declared that no pledge is made of the faith and credit of the State for the security of the notes, bills, or other contracts of whatsoever nature, of the said Bank or of its President or Directors.” And the question being put, will the House agree to the amendment? It was decided in the negative.

Yeas, 35—Nays, 69.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

Messrs. Allen,

Bailey,

Boykin,

Bradley,

Christie,

Dantzler,

Duncan,

Ellis,

Flagg,

Gadsden,

Harrison,

Hutson,

A. R. Johnson,

Keitt,

Laurens,

Messrs. Lesesne,

McBee,

McCrary,

McGowan,

McKnight,

Manigault,

Middleton,

Mobley,

Moorer,

Morgan,

Murray,

B. F. Perry,

Porcher,

Read,

Rice,

Messrs. Thomson,  
Thornwell,  
Trotti,

Messrs. Vance, and  
Wescoat

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Anderson,  
Ashmore,  
Bates,  
Beaty,  
Blum,  
Boylston,  
Brown,  
Broyles,  
Burt,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Charles,  
Clarke,  
Clawson,  
Cooner,  
Crosson,  
Cruikshank,  
Cureton,  
Durant,  
Elliott,  
Fox,  
Garlington,  
Green,  
Hammond,  
Hampton,  
Hearst,  
Hope,  
Howell,  
Hudgins,

Messrs. Hunt,  
J. I. Ingram,  
Tillman Ingram,  
B. J. Johnson,  
W. R. Johnson,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,  
Maybin,  
Melton,  
Mullins,  
O'Bryan,  
Owens,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Reynolds,  
Rosborough,  
Seabrook,  
Sloan,  
Steele,  
Stokes,  
Sullivan,  
Tillinghast,  
Tradewell,  
Trenholm,  
Tucker,  
Wagner,  
Wallace,  
Williams,  
Winsmith, and  
Witherspoon.

Mr. MULLINS submitted the following amendment as an additional section to the Bill.

"That the said President and Directors shall not have authority, at any time, to make any subscription to the capital stock of any Rail Road or other work of internal improvement, within or without the limits of this State, unless by the permission of the Legislature.

And the question being put, will the House agree to the amendment? It was decided in the affirmative.

The Yeas and Nays were requested, and are as follows.

Yeas, 71—Nays, 37.

Those who voted in the affirmative, are

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Boylston,

Brown,

Broyles,

Byrd,

J. B. Campbell,

Carwile,

Cash,

Caithen,

Charles,

Christie,

Clawson,

Cooner,

Crosson,

Dantzler,

Duncan,

Durant,

Elliott,

Ellis,

Fox,

Messrs. Gadberry,

Garlington,

Green,

Harrison,

Hearst,

Hope,

Hudgins,

Hutson,

Tillman Ingram,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Keitt,

Lawton,

McBee,

McGowan,

Manigault,

Melton,

Mobley,

Moorer,

Morgan,

Mullins,

Murray,

O'Bryan,

Owens,

B. F. Perry,

J. B. Perry,

Pitts,

**Messrs. Read,**

Rice,

Rosborough,

Springs,

Steele,

Stokes,

Thomson,

Thornwell,

**Messrs. Tillinghast,**

Trotti,

Vance,

Wallace,

Williams,

Winsmith, and

Witherspoon.

**Those who voted in the negative are :****The Hon. JAMES SIMONS, Speaker, and****Messrs. Bradley,**

Burt,

R. E. Campbell,

Clarke,

Cruikshank,

Cureton,

Flagg,

Gourdin,

Hammond,

Hampton,

Howell,

Hunt,

J. I. Ingram,

Jordan,

Kershaw,

King,

Lanneau,

Laurens,

**Messrs. Leitner,**

Lesesne,

McCrary,

McKnight,

Maybin,

Middleton,

Mitchell,

Poppenheim,

Porcher,

Reynolds,

Seigling,

Sinkler,

Sloan,

Sullivan,

Tradewell,

Trenholm,

Tucker, and

Wagner.

On motion of Mr. BOYLSTON the debate was suspended ; and

On motion of Mr. BOYLSTON, it was ordered that the order of the House, providing for adjournment at 10 P. M., be suspended for this evening.

The following message was received from the Senate.

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate respectfully insists on leave to amend the Report of the Committee on Claims of your House, on the account of B. C. Pressly, Editor

of the Southern Standard, for public printing, by allowing the charges of \$1.95, \$2.55 and \$2.10, for publications made under order of the Court of General Sessions in Charleston District.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, it was ordered that the House insist on refusing to grant leave to amend, and that a Committee be appointed to confer with a similar Committee, to be appointed by the Senate, and that a Message be sent accordingly. Whereupon, the SPEAKER appointed Messrs. Ashmore, Alexander and Harrison.

The following Message was received from the Senate:

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully informs your House, that they concur in the Resolution of your House, that President Thornwell be requested to furnish to this General Assembly, for publication, a copy of his able and eloquent address at the laying of the corner stone of the New Chapel for the College; and also, that they have appointed Messrs. J. D. Witherspoon, Moses and Porter, a committee, to unite with your Committee to procure the address, and superintend the publication of the same.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, leave of absence was granted to Mr. Laurens for the remainder of the session.

On motion of Mr. MIDDLETON, leave of absence, as far as this House is concerned, was granted to the Comptroller General for the remainder of this session.

The House then resumed the consideration of a Bill to extend the Charter of the Bank of the State of South Carolina.

Mr. SULLIVAN moved to amend the Bill by striking out all after the enacting words in the first section and inserting the following: "That the Charter of the Bank of the State of South Carolina be and the same is hereby extended for the term of twenty-one years from the expiration of its present charter, with its present capital, together with all the powers, rights and privileges possessed and enjoyed under the existing laws in relation thereto."

Mr. TUCKER moved to lay the amendment on the Table, and the

question being put, Will the House agree thereto? It was decided in the negative :

Yeas 50—Nays 56.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are,

|                        |                         |
|------------------------|-------------------------|
| <b>Messrs.</b> Bailey, | <b>Messrs.</b> McGowan, |
| Bates,                 | Manigault,              |
| Boykin,                | Middleton,              |
| Bradley,               | Mitchell,               |
| Byrd,                  | Mobley,                 |
| Carwile,               | Moorer,                 |
| Cash,                  | Morgan,                 |
| Christie,              | Murray,                 |
| Cooner,                | O'Bryan,                |
| Crosson,               | Owens,                  |
| Dantzler,              | B. F. Perry,            |
| Duncan,                | J. B. Perry,            |
| Ellis,                 | Poppenheim,             |
| Flagg,                 | Porcher,                |
| Fox,                   | Read,                   |
| Gadberry,              | Springs,                |
| Green,                 | Stokes,                 |
| Harrison,              | Thomson,                |
| Hope,                  | Thornwell,              |
| Hutson,                | Tillinghast,            |
| B. J. Johnson,         | Trotti,                 |
| A. R. Johnston,        | Tucker,                 |
| Keitt,                 | Vance,                  |
| Laurens,               | Weatherly, and          |
| Lesesne,               | Wescoat,                |
| McBee,                 |                         |

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

|                           |                      |
|---------------------------|----------------------|
| <b>Messrs.</b> Alexander, | <b>Messrs.</b> Blum, |
| Anderson,                 | Boylston,            |
| Ashmore,                  | Brown,               |
| Beaty,                    | Broyles,             |

**Messrs. Burt,**

R. E. Campbell,

Cauthen,

Charles,

Clarke,

Clawson,

Cruikshank,

Cureton,

Durant,

Elliott,

Garlington,

Gourdin,

Hampton,

Hearst,

Howell,

Hudgens,

Hunt,

J. I. Ingram,

Tillman Ingram,

W. R. Johnson,

Kershaw,

King,

Lanneau,

**Messrs. Lawton,**

Leitner,

McCrary,

McKnight,

Maybin,

Melton,

Mullins,

Pitts,

Reynolds,

Rice,

Rosborough,

Seigling,

Sinkler,

Sloan,

Steele,

Sullivan,

Tradewell,

Trenholm,

Wagner,

Wallace,

Williams,

Winsmith, and

Witherspoon.

So the House refused to lay the amendment on the Table.

Mr. HUNT moved the indefinite postponement of Mr. Sullivan's amendment; which passed in the affirmative.

Yeas 67—Nays 41.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are

**Messrs. Bailey,**

Blum,

Boykin,

Boylston,

Bradley,

Brown,

Broyles,

J. B. Campbell,

**Messrs. Carwile,**

Cash,

Charles,

Clarke,

Cooner,

Crosson,

Cruikshank,

Dantzler,

Messrs. Durant,  
 Ellis,  
 Flagg,  
 Fox,  
 Gadberry,  
 Green,  
 Hammond,  
 Hearst,  
 Hope,  
 Hunt,  
 Hutson,  
 Tillman Ingram,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Keitt,  
 Kershaw,  
 Lanneau,  
 Lawton,  
 McGowan,  
 Manigault,  
 Melton,  
 Middleton,  
 Mitchell,  
 Moorer,  
 Mullins,

Messrs. Munro,  
 Murray,  
 O'Bryan,  
 Owens,  
 J. B. Perry,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Springs,  
 Steele,  
 Stokes,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Wallace,  
 Weatherly and  
 Wescoat.

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker,

Messrs. Alexander,  
 Anderson,  
 Ashmore,  
 Bates,  
 Beaty,  
 Burt,  
 Byrd,  
 R. E. Campbell,  
 Cauthen,  
 Christie,

Messrs. Clawson,  
 Cureton,  
 Duncan,  
 Elliott,  
 Garlington,  
 Gourdin,  
 Hampton,  
 Harrison,  
 Howell,  
 Hudgens,



Messrs. J. I. Ingram,  
King,  
Leitner,  
Lesesne,  
McBee,  
McCrady,  
McKnight,  
Maybin,  
Mobley,  
Morgan,

Messrs. B. F. Perry,  
Pitts  
Sinkler,  
Sloan,  
Sullivan,  
Trenholm,  
Wagner,  
Williams,  
Winsmith, and  
Witherspoon.

So the House postponed the amendment, and the question being put, "Shall the Bill be sent to the Senate?" it passed in the affirmative.

Yeas, 74—Nays, 33.

The Yeas and Nays were requested and are as follows :

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Anderson,  
Ashmore,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
Brown,  
Broyles,  
Burt,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Cauthen,  
Charles,  
Clarke,  
Clawson,  
Crosson,  
Cruikshank,  
Cureton,

Messrs. Durant,  
Elliott,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Hearst,  
Hope,  
Howell,  
Hudgens,  
Hunt,  
J. I. Ingram,  
Tillman ngram,  
W. R. Johnson,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,

Messrs. McKnight,  
Maybin,  
Milton,  
Mitchell,  
Mullins,  
O'Bryan,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Reynolds,  
Rice,  
Rosborough,  
Seigling,  
Sinkler,

Messrs. Sloan,  
Springs,  
Steele,  
Stokes,  
Sullivan,  
Tradewell,  
Trenholm,  
Tucker,  
Wagner,  
Walker,  
Weatherly,  
Williams,  
Winsmith, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Bailey,  
Bradley,  
Carwile,  
Christie,  
Cooner,  
Dantzler,  
Duncan,  
Ellis,  
Flagg,  
Harrison,  
Hutson,  
B. J. Johnson,  
A. R. Johnston,  
Keitt,  
Lesesne,  
McBee,  
McGowan,

Messrs. Manigault,  
Middleton,  
Mobley,  
Moorer,  
Morgan,  
Munro,  
Murray,  
Owens,  
B. F. Perry,  
Read,  
Thomson,  
Thornwell,  
Tillinghast,  
Trotti,  
Vance, and  
Wescoat.

The Bill was then ordered to be sent to the Senate.

The House was adjourned at 11 o'clock, P. M.

## SATURDAY, DECEMBER 11, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. BLAKENEY, who was absent on the taking of the vote, to send to the Senate a Bill to recharter the Bank of the State of South Carolina, asked and obtained leave to record the vote he would have given if present, and his name being called he answered "Aye."

Mr. J. I. INGRAM obtained leave of absence for Mr. Epps, for the remainder of the session, on account of illness in his family.

Mr. OWENS, obtained leave of absence for Mr. A. R. Johnston, for the remainder of the session.

The Senate returned to this House the following Acts, which were committed to the Committee on Engrossed Acts :

An Act to prevent the passage of fish up Lynch's Creek.

An Act to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions in such streets.

An Act to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty.

An Act to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment of Infantry.

An Act to relieve plank road companies from the necessity of making returns unless specially called for by the Legislature.

An Act to charter the Lancaster Rail Road Company and for other purposes.

An Act to incorporate the Village of Cokesbury, and An Act to arrange the State into Districts for the election of Representatives in the Congress of the United States and for other purposes.

The Senate sent to this House a Bill to extend the charter of the Bank of the State of South Carolina, and to prevent the circulation within the State of bank notes of a less denomination than five dollars, issued by persons or corporations of other States, which was read the first time.

Mr. WINSMITH moved to refer the bill to the Committee of Ways and Means, and, the question being put, " Will the House agree thereto?" Tellers were called for, and the House divided—Messrs. Hunt and Win-

smith were appointed to count the House. The tellers reported 25 in the affirmative, and 42 in the negative.

On motion of Mr. HUNT, the Bill was referred to a Special Committee of three, whereupon the SPEAKER appointed Messrs. Hunt, Win-smith and Sullivan of the Committee.

Mr. ASHMORE obtained leave for the Committee on Claims to sit this day while this House is in session.

The Senate sent to this House

A Bill to incorporate the Carolina Blues, a Volunteer Company in the Town of Columbia, which was read the first time and referred to the Committee on the Military.

The Senate also sent to this House

A Bill to incorporate the Town of Bluffton; which was read the third time,

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act;

*Ordered*, That it be returned to the Senate.

The Senate returned to this House A Bill to alter and amend the law in relation to the education of the Deaf and Dumb of this State; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act,

*Ordered*, That it be sent to the Senate.

The Senate returned to this House A Bill to alter the Constitution of this State so as to divide Pendleton into two election districts; which was referred to the Committee on Engrossed Acts.

The Senate sent to this House, with their concurrence, the following reports :

Reports of the Committee of Ways and Means;

On the petition of J. D. Allen,

On the memorial of City Council of Charleston, praying an appropriation for Transient Poor.

Report of the Committee on Colored Population, on so much of the Governor's Message as relates to the imprisonment of Colored Seamen.

Reports of the Committee on Claims; on

The account of William Blackledge,

The account of Palmetto Banner,

The account of Jesse E. Dent, and

The account of Dr. A. Malloy.

Reports of the Committee on Pensions ; on  
The petition of George W. Dorn,  
The petition of Nancy Bailey,  
The petition of James D. Mansfield ; and, on  
The account of D. J. Rice.

The Senate sent to this House for their concurrence, the report of the Committee on Claims and Grievances on the memorial of Thomas Freen, praying additional compensation for work done, and to be allowed to finish certain unfinished work ; which was referred to the Committee on Claims.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made a report on the memorial of James Jones and J. J. Kennedy ; which was ordered for consideration on Monday next.

Mr. McCRADY from the Committee on Incorporations to whom were referred the following Bills from the Senate,—

A Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, and

A Bill to regulate agencies of Foreign Insurance Companies, made reports ; which were ordered for consideration on Monday next.

Mr. J. B. PERRY, from the same Committee, made a report on a Bill from the Senate to incorporate the Firemen's Insurance Company of Charleston ; which was ordered for consideration on Monday next.

Mr. SULLIVAN, from the Committee on Education, made reports, on the report of the Vestry of the Parish Church, of St. James' Goose Creek, and,

On the report of the Attorney General on the Ludlum School fund ; and

On the report of the Committee on College, Education and Religion, on the same subject, which were severally ordered for consideration on Monday next.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on Bills from the Senate ;

A Bill to establish and incorporate the Western Bank of South Carolina, to be located in the town of Anderson ;

A Bill to revive and amend An Act, entitled An Act to establish and incorporate a Bank in the town of Winnsborough ; and

A Bill to alter and amend the sixth section of An Act, entitled An Act, to amend An Act, entitled An Act to authorize the formation of the Greenville and Columbia Rail Road Company ; and,

An Act, entitled An Act to amend An Act to authorize the formation of

the Greenville and Columbia Rail Road Company, and for other purposes; which were ordered for consideration on Monday next.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the petitions of John W. Burbridge and Fanny Burdishaw; which was ordered for consideration on Monday next, and

Reported A Bill to vest certain real and personal property of Arthur J. Counts, deceased, in Elizabeth Counts; which was read the first time, and was ordered to be read the second time on Monday next.

Mr. SLOAN, from the Committee on the Judiciary, and Mr. SPRINGS, from the minority of the same committee, to whom was referred A Bill to amend the 10th section of the 1st article of the Constitution of this State, made reports; which were made the special order of the day for the first Tuesday in December, 1853, at 1 o'clock, P. M.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of Ellen Lewis; which was ordered for consideration on Monday next.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the petition of the Commissioners of Public Buildings for Marion District, asking an appropriation for a new Court House;

On the petition of sundry citizens of York, asking leave to sell their Jail and Jail lot; and

On the memorial of the Commissioners of Public Buildings for Georgetown, praying an appropriation to enlarge the Court House; which was ordered for consideration on Monday next.

Mr. SULLIVAN, from the Committee on Education, made a report on the Treasurers Report to the honorable Board of Trustees of the South Carolina College; which was ordered for consideration on Monday next.

Mr. J. B. PERRY submitted the following preamble and resolution, which were ordered for consideration on Monday next:

*Whereas*, his Excellency the Governor, in his recent annual Message, has recommended a revision of our criminal code, and certain alterations in our Prisons and Prison discipline. Be it therefore

*Resolved*, That his Excellency the Governor be, and he is hereby authorized and required by this Legislature, as soon after the termination of the present session as may be convenient, to appoint a commission, consisting of three competent persons, citizens of this State, whose duty it shall be to take under consideration the whole subject of our Criminal

Law, Prisons and Prison discipline, and report to the next session such alterations as may be deemed expedient and necessary.

*Resolved* further, That the said Commissioners of the performance of the duties aforesaid, be allowed a reasonable compensation, to be hereafter fixed by the Legislature.

On motion of Mr. TUCKER, a message was ordered to be sent to the Senate, informing that body that H. J. Hean had been duly elected Clerk of this House, and that he has been qualified.

Mr. HAMPTON presented the account of Charles Beck against the State, which was referred to the Committee on Claims.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to define the principles on which Joint Stock Banks shall be incorporated, was called for a second reading.

Mr. McCRADY moved that the Bill *lie on the Table*.

And the question being put will the House agree thereto? tellers were called for, and the House divided. Messrs. Boykin and Poppenheim were appointed to count the House, and reported 30 in the affirmative and 40 in the negative. So the House refused to lay the Bill on the Table.

The Bill was then read the second time.

Mr. MITCHELL moved to lay the Bill on the table, and the question being put will the House agree thereto? it was decided in the negative.

Yeas, 19—Nays, 80.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen,

Blakeney,

Christie,

Crosson,

Ellis,

Green,

Hammond,

Keitt,

Lesesne,

Messrs. McCrady,

Mitchell,

Mobley,

O'Bryan,

Owens,

J. B. Perry,

Stokes,

Thomson, and

Winsmith.

Those who voted in the negative, are

**Messrs. Anderson,**

Bailey,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Duncan,  
Durant,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hampton,  
Hearst,  
Hope,  
Hudgens,  
J. I. Ingram,  
Tillman Ingram,  
B. J. Johnston,  
W. R. Johnson,  
Jordan,  
Kershaw,  
Lanneau,  
Lawton,  
Leitner,

**Messrs. McRee,**

McGowan,  
Manigault,  
Maybin,  
Melton,  
Middleton,  
Moorer,  
Morgan,  
Mullins,  
Munro,  
Murray,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Seabrook,  
Seigling,  
Shedd,  
Springa,  
Steele,  
Sullivan,  
Thornwell,  
Torre,  
Trenholm,  
Trotti,  
Tucker,  
Vance,  
Wagner,  
Walker,  
Wallace,  
Weatherly,  
Wescoat,  
Williams, and  
Witherspoon.



Mr. MULLINS proposed the following amendment to the 11th section of the Bill ;

“ But no tax shall be imposed on any Bank by any municipal corporation, without the consent of the Legislature first had and obtained.

Mr. TUCKER moved to lay the amendment on the table, and the question being put, will the House agree thereto ? tellers were called for and the House divided. Messrs. Tucker and Sullivan were appointed to count the House, who reported 49 in the affirmative and 42 in the negative. So the House ordered the amendment to the Bill *to lie on the Table*.

Mr. HUNT moved to amend the 11th section of the Bill by adding thereto the following words: “ In the same manner as other estate and other stock in trade and not otherwise.”

And the question being put, Will the House agree thereto ? It passed in the affirmative.

Yeas, 70—Nays, 39.

The yeas and nays were requested and are as follows.

Those who voted in the affirmative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Anderson,

Bates,

Beaty,

Blakeney,

Bradley,

Brown,

Broyles,

Byrd,

J. B. Campbell,

R. E. Campbell,

Carwile,

Cash,

Cauthen,

Christie,

Clarke,

Clawson,

Cureton,

Dantzler,

Messrs. Duncan,

Ellis,

Fox,

Gadberry,

Gadsden,

Harrison,

Hearst,

Hope,

Hudgens,

Hunt,

J. I. Ingram,

Tillman Ingram,

W. R. Johnson,

Keitt,

Kershaw,

Lawton,

McBee,

McGowan,

McKnight,

Messrs. Maybin,  
 Middleton,  
 Moorer,  
 Morgan,  
 Murray,  
 O'Bryan,  
 Patterson,  
 B. F. Perry.  
 J. B. Perry,  
 Pickens,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Shedd,  
 Steele,

Messrs. Stokes,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Torre,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Wescoat,  
 Williams,  
 Winsmith, and  
 Witherspoon.

Those who voted in the negative, are

Messrs. Allen,  
 Ashmore,  
 Blum,  
 Boykin,  
 Charles,  
 Crosson,  
 Cruikshank,  
 Durant,  
 Elliott,  
 Flagg,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 B. J. Johnson,  
 Jordan,  
 King,  
 Lanneau,

Messrs. Leitner,  
 Lesesne,  
 McCrady,  
 Manigault,  
 Melton,  
 Mitchell,  
 Mullins,  
 Munro,  
 Owens,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,  
 Siegling,  
 Sinkler,  
 Springs,  
 Trenholm,  
 Wagner, and  
 Weatherly.

Mr. TORRE moved to reconsider the vote on Mr. Hunt's amendment, having voted in the affirmative for that purpose, and the question being

put, Will the House agree to reconsider ? It was decided in the negative.

At 4 o'clock, P. M., under the order of the House, business was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER took the chair, the House resumed the consideration of the

### GENERAL ORDERS.

A Bill to define the principles on which Joint Stock Banks shall be incorporated, was read the second time, and was ordered to be sent to the Senate.

On motion of Mr. ASHMORE, the general orders were suspended.

Mr. ASHMORE, from the Committee on Claims, made reports,

On the account of Dr. J. R. Barnett ;

On the account of Charles Beck ; and,

On the report of the Senate's Committee on Claims ; and,

On the memorial of Thomas Freen ; which were ordered for consideration on Monday next.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of Thomas Freen, late Surveyor General ; and,

On motion of Mr. ASHMORE, the same was ordered to *lie on the Table*.

Mr. McGOWAN, from the Committee on the Military, made reports on

The account of Polk Robinson ; and,

The series of Resolutions concerning the Military Academy, referred to them, made reports ; which were ordered for consideration on Monday next.

Mr. HUNT, from the Special Committee to whom was referred a Bill from the Senate to extend the charter of the Bank of the State of South Carolina, and to prevent the circulation within the State of Bank notes of a less denomination than five dollars, issued by persons or corporations of other States, made reports ; which were ordered for consideration on Monday next.

Mr. READ, from the Special Joint Committee appointed to examine the contingent accounts of the Governor, made a report ; which was ordered for consideration on Monday next.

A Bill to make appropriations for the year commencing one thousand eight hundred and fifty-two, was called for a second reading, and the question being put, Shall the Bill be read the second time? tellers were called for, and the House divided. Messrs. Hope and Bates were appointed to count the House, and reported 42 in the affirmative and 40 in the negative. So the Bill was ordered to be read a second time.

Mr. MELTON moved to reconsider the vote, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 36—Nays, 68.

Those who voted in the affirmative, are

Messrs. Anderson,

Ashmore,

Blakeney,

Blum,

Boykin,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Cruikshank,

Ellis,

Fox,

Gadberry,

Gourdin,

Green,

Hampton,

Messrs. Howell,

Hudgens,

Hunt,

Hutson,

B. J. Johnson,

Lanneau,

Lesesne,

McCrary,

Melton,

Middleton,

Munro,

Poppenheim,

Reynolds,

Sullivan,

Tradewell,

Trenholm,

Wagner, and

Williams.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Boylston,

Messrs. Byrd,

Carwile,

Cauthen,

Charles,

Christie,

Clarke,

Messrs. Clawson,  
Crosson,  
Cureton,  
Dantzler,  
Duncan,  
Durant,  
Elliott,  
Ervin,  
Flagg,  
Garlington,  
Hammond,  
Harrison,  
Hearst,  
Hope,  
Tillman Ingram,  
W. R. Johnson,  
Jordan,  
Keitt,  
Kershaw,  
Lawton,  
Leitner,  
McBee,  
McGowan,  
Manigault,  
Moble,  
Moorer,  
Morgan,  
Mullins,

Messrs. Murray,  
O'Bryan,  
Owens,  
Patterson,  
B. F. Perry,  
J. B. Perry,  
Pickens,  
Pitts,  
Porcher,  
Read,  
Rice,  
Rosborough,  
Seabrook,  
Springs,  
Steele,  
Stokes,  
Thomson,  
Tillinghast,  
Torre,  
Trotti,  
Tucker,  
Vance,  
Walker,  
Wallace,  
Wescoat,  
Winsmith, and  
Witherspoon.

So the House refused to re-consider.

The House then proceeded to read a second time.

Mr. ASHMORE moved to amend the 6th section of the Bill, by striking out, in the clause for the support of Free Schools, "\$37,500," and inserting "\$74,400."

Mr CASH moved to lay the amendment on the table; and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 29—Nays, 75.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Messrs. Blakeney,  
Boylston,  
Broyles,  
Byrd,  
Cash,  
Clarke,  
Cruikshank,  
Dantzler,  
Duncan,  
Elliott,  
Hunt,  
Hutson,  
Tillman Ingram,  
B. J. Johnson,  
W. R. Johnson,

Messrs. King,  
Lesesne,  
McBee,  
Manigault,  
Middleton,  
Munro,  
B. F. Perry,  
J. B. Perry,  
Read,  
Seigling,  
Sinkler,  
Trenholm,  
Wagner, and  
Walker.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Allen,  
Anderson,  
Ashmore,  
Bailey,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Brown,  
J. B. Campbell,  
R. E. Campbell,  
Cauthen,  
Charles,  
Christie,  
Clawson,  
Crosson,  
Cureton,  
Durant,  
Ellis,

Messrs. Ervin,  
Flagg,  
Fox,  
Gadberry,  
Gadsden,  
Garlington,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Hearst,  
Hope,  
Howell,  
Hudgins,  
A. R. Johnston,  
Jordan,  
Keitt,  
Kershaw,  
Launeau,  
Lawton,

Messrs. Leitner,

McGowan,

McKnight,

Maybin,

Milton,

Mobley,

Moorer,

Morgan,

Mullins,

Murray,

O'Bryan,

Patterson,

Pickens,

Pitts,

Poppenheim,

Porcher,

Reynolds,

Messrs. Rosborough,

Seabrook,

Springs,

Steele,

Sullivan,

Thomson,

Tillinghast,

Torre,

Tradewell,

Trotti,

Tucker,

Vance,

Walker,

Wescoat,

Williams,

Winsmith, and

Witherspoon.

Mr. PERRY submitted the following amendment to the amendment proposed by Mr. Ashmore, by adding thereto the following proviso: *Provided*, the said appropriation be apportioned among the several districts and parishes in proportion to the white population of the State.

Mr. BLAKENEY moved to lay the proposed amendment on the table, and the question being put, "Will the House agree thereto?" it passed in the affirmative—

Yeas, 78—Nays, 32.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Blakeney,

Boylston,

Messrs. Brown,

Broyles,

Burt,

Byrd,

R. E. Campbell,

Carwile,

Cauthen,

Charles,

Messrs. Christie,  
Clawson,  
Dantzler,  
Elliott,  
Ellis,  
Flagg,  
Fox,  
Gadsden,  
Garlington,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Hearst,  
Hope,  
Howell,  
Hudgens,  
Hutson,  
Tillman Ingram,  
Keitt,  
Kershaw,  
King,  
Lawton,  
Lesesne,  
McCrary,  
McKnight,  
Manigault,  
Maybin,  
Melton,

Messrs. Middleton,  
Mitchell,  
Mobley,  
Moorer,  
Murray,  
O'Bryan,  
Owens,  
Patterson,  
J. B. Perry,  
Pitts,  
Porcher,  
Read,  
Reynolds,  
Seabrook,  
Seigling,  
Shedd,  
Sinkler,  
Steele,  
Stokes,  
Sullivan,  
Tillinghast,  
Tradewell,  
Trenholm,  
Trotti,  
Vance,  
Wagner,  
Walker,  
Wallace,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are,

Messrs. Boykin,  
Bradley,  
J. B. Campbell,  
Cash,  
Clarke,  
Crosson,  
Cruikshank,

Messrs. Cureton,  
Duncan,  
Durant,  
Gadberry,  
J. I. Innram,  
B. J. Johnson,  
W. R. Johnson,



Messrs. Jordan,  
 Leitner,  
 McBee,  
 McGowan,  
 Morgan,  
 Mullins,  
 Munro,  
 B. F. Perry,  
 Pickens,

Messrs. Poppenheim,  
 Rice,  
 Rosborough,  
 Springs,  
 Thomson,  
 Thornwell,  
 Weatherly,  
 Williams, and  
 Winsmith,

The question then recurred on Mr. ASHMORE'S amendment, and the question being put, "Will the House agree thereto?" it passed in the affirmative.

Yeas, 79—Nays, 32.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
 Allen,  
 Anderson,  
 Ashmore,  
 Bailey,  
 Bates,  
 Blakeney,  
 Blum,  
 Boykin,  
 Boylston,  
 Bradley,  
 Brown,  
 J. B. Campbell,  
 R. E. Campbell,  
 Carwile,  
 Cauthen,  
 Christie,  
 Clawson,  
 Crosson,  
 Cruikshank,  
 Cureton,

Messrs. Duncan,  
 Elliott,  
 Ellis,  
 Ervin,  
 Flagg,  
 Fox,  
 Gadberry,  
 Gadsden,  
 Garlington,  
 Green,  
 Hammond,  
 Hampton,  
 Harrison,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hutson,  
 J. I. Ingram,  
 Tillman Ingram,  
 Jordan,

|                |                |
|----------------|----------------|
| Messrs. Keitt, | Messrs. Pitts, |
| Kershaw,       | Poppenheim,    |
| Lawton,        | Reynolds,      |
| Leitner,       | Seabrook,      |
| McBee,         | Sloan,         |
| McCrary,       | Springs, .     |
| McGowan,       | Steele,        |
| McKnight,      | Sullivan,      |
| Melton,        | Thomson,       |
| Mobley,        | Thornwell,     |
| Moorer,        | Tradewell,     |
| Morgan,        | Trenholm,      |
| Mullins,       | Trotti,        |
| Murray,        | Vance,         |
| O'Bryan,       | Wallace,       |
| Owens,         | Williams,      |
| Patterson,     | Winsmith, and  |
| Pickens,       | Witherspoon.   |

Those who voted in the negative are :

|                |                    |
|----------------|--------------------|
| Messrs. Beaty, | Messrs. Middleton, |
| Broyles,       | Mitchell,          |
| Burt,          | Munro,             |
| Byrd,          | B. F. Perry,       |
| Cash,          | J. B. Perry,       |
| Charles,       | Porcher,           |
| Clarke,        | Read,              |
| Dantzler,      | Rice,              |
| Durant,        | Rosborough,        |
| Gourdin,       | Seigling,          |
| Hunt,          | Sinkler,           |
| B. J. Johnson, | Stokes,            |
| W. R. Johnson, | Wagner,            |
| King,          | Walker,            |
| Lesesne,       | Weatherly, and     |
| Manigault,     | Wescoat.           |

Mr. MAYBIN, who was absent when the vote was taken on agreeing to the amendment, was permitted to record the vote he would have given

if present, and his name having been called for that purpose, he answered "Aye."

The Bill was then read the second time, and ordered to be sent to the Senate.

On motion of Mr. ASHMORE, it was ordered that a message be sent to the Senate, proposing to that body to rescind the Joint Resolution providing for the adjournment of the General Assembly on Wednesday 15th inst., and to substitute in lieu thereof, Friday, 17th.

Mr. McGOWAN gave notice that he will on Monday next, move to suspend the 52d Rule of this House for the rest of the session.

The House was adjourned at 45 minutes past 10 o'clock, P. M.

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MONDAY, DECEMBER 13, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The SPEAKER announced that Mr. O'Bryan is added to the Committee on Privileges and Elections.

On motion of Mr. TILLINGHAST, leave of absence was granted to Mr. Seabrook for the remainder of the session on account of indisposition.

On motion of Mr. TUCKER, it was ordered that writs of election do forthwith issue to the Managers of the Election District of Spartan, to fill the vacancy occasioned by the election of H. J. Dean to a disqualifying office.

The Senate returned to this House An Act to alter and amend the law in relation to the education of the deaf and dumb of this State; which was committed to the Committee on Engrossed Acts.

Mr. READ presented the petition of S. T. Gaillard and others, praying for the incorporation of Plantersville; which was referred to the Committee on Incorporations.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on

The report of the President of the Wilmington and Manchester Rail Road Company;

The report of the President of the Cheraw and Anson Plank Road Company; and

On a Bill from the Senate to authorize the State to afford additional aid in the construction of the Spartanburg and Union Rail Road; which were ordered for consideration to-morrow.

Mr. GADBERRY, from the Committee on the Military, made a report on the petition of George H. Walter and W. G. DeSaussure, officers of the Washington Artillery, praying that a debt due by said Company to the Citadel Academy may be remitted; which was ordered for consideration to-morrow.

Mr. BURT, from the Committee on Accounts, made a report on the report of the Comptroller General, on the contingent accounts against the Treasurer of the Upper Division; and

On motion of Mr. BURT, it was ordered *to lie on the Table*.

Mr. DURANT presented the returns of Commissioners of Free Schools for Kingston Parish; which was referred to the Committee on Education.

On motion of Mr. LAWTON, a message was ordered to be sent to the Senate, proposing to that body to go into an election for President and Directors of the Bank of the State of South Carolina, on Wednesday next, at 12 o'clock, M.

Mr. SPRINGS presented the petition of sundry citizens of York District, praying the repeal of an Act to increase the amount of property exempt from levy and sale.

The Senate sent to this House

A Bill to establish and incorporate another Bank in Charleston, to be called the People's Bank; which was read the first time and referred to the Committee of Ways and Means.

A Bill to amend the charter of the Wilmington and Manchester Rail Road Company, was referred to the Committee on Incorporations.

The Senate also sent to this House

A Bill to change the day of election of and term of office of Mayor and Aldermen of the city of Charleston and for other purposes; which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed—that it be called An Act.

*Ordered*, That it be returned to the Senate.

The Senate returned to this House

A Bill to repeal all Acts and parts of Acts, authorizing Ordinaries to

take possession of and administer derelict estates; which was ordered for a third reading.

The following amendment proposed by the Senate was read: "That the 7th section of the Act of 1839, entitled An Act concerning the office and duties of Ordinary, and all other Acts and parts of Acts, authorizing the Ordinary to take charge of and administer derelict estates, be and the same are hereby repealed. And the question being put, will the House agree thereto? tellers were called for and the House divided. Messrs. Perry and Lesesne were appointed to count the House, and reported 37 in the affirmative and 49 in the negative. So the House refused to agree to the amendment, and the title of the Bill was restored accordingly to A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary.

The Bill was then read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

The Senate also sent to this House

A Bill to alter and amend an Act, entitled An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road; which was read the third time,

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a resolution to suspend the 52d Rule of this House for the remainder of this Session. And on motion of Mr. THORNWELL was ordered *to lie on the Table*.

The Senate sent to this House the following Bills;

A Bill to amend an Act, entitled An Act to incorporate the Columbia Insurance Company; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

A Bill to incorporate the Beaufort Female Seminary; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

A Bill to incorporate the Columbia and Beaufort Loan and Building Association ; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed.

*Ordered*, That it be sent to the Senate.

The Senate also sent to this House a resolution as to printing done under the direction of the presiding Judge ; which was referred to the Committee on the Judiciary.

The following message was received from the Senate :

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend the Report of the Committee on Claims of your House on the account of Gilbert & Frazer, for public printing, by striking out "twenty-five dollars," and inserting in lieu thereof six dollars and twenty-five cents.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

And, on motion of Mr. MITCHELL, was ordered to *lie on the Table*.

The following Message was received from the Senate :

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the Report of the Committee of Claims of your House, on the account of W. J. Francis, proprietor of the Sumter Banner, for public printing, by striking out twelve 50-100 dollars, and inserting, in lieu thereof, six dollars and 25 cents.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. GREEN, leave was granted to the Senate so to amend, and a Message was sent accordingly.

Mr. GARLINGTON presented the Report of the Commissioners of the Fire Proof Building ; which was referred to the Committee on State House and Grounds.

Mr. McCRADY, from the Committee on Incorporations, made a report,

On the petition of S. T. Gaillard, and others, praying for the incorporation of Plantersville ; which was ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the consideration of a Bill to amend the charter of the

Wilmington and Manchester Rail Road Company; and the same was referred to the Committee on Internal Improvements.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the 3d volume of Richardson's Equity, and 5th volume of Richardson's Law Reports, and the communication accompanying the same; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made a report on the Annual Returns of the various Boards of the Commissioners of Free Schools in the different Districts, Counties and Parishes; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to amend the charter of the Wilmington and Manchester Rail Road Company, was called for a second reading; and after some progress made therein,

On motion of Mr. KEITT, the General Orders were suspended; and,

On motion of Mr. KEITT, a Message was sent to the Senate, inviting that body to attend in the Hall of the House of Representatives, and assist in the Inauguration of the Governor elect.

### INAUGURATION OF THE GOVERNOR.

The Senate, Chancellors and Law Judges, then attended in the Hall of the House of Representatives, and immediately after the Hon. John L. Manning, Governor elect, accompanied by Governor Means, and the Joint Committee of Arrangements, entered the Hall.

The Governor elect addressed the Members of the General Assembly, acknowledging his profound sense of gratitude for this expression of public confidence, manifested by his election to preside over the Executive Department of the Government.

The SPEAKER of the House of Representatives then administered to the Governor elect, the Constitutional oath of office.

The SPEAKER, accompanied by the members and attended by the officers of the House, went to the Senate Chamber, when the President of the Senate delivered to the Governor his commission; and, from thence, the Governor, accompanied by the President of the Senate and the Speaker of the House of Representatives, with the members of the General Assembly repaired to the eastern portico of the Capitol, when the Sheriff of

Richland District read the Governor's Commission and made proclamation of his election.

The SPEAKER took the Chair.

The House resumed the consideration of the

### GENERAL ORDERS.

And the reading of the Bill to amend the charter of the Wilmington and Manchester Rail Road Company was continued.

Mr. MIDDLETON moved to amend the Bill by adding to the Section the following words :

*Provided, nevertheless,* that it shall not be lawful for said Company to prevent any Rail or Plank Road Company from crossing its main track or any branch thereof, but said crossing shall be regulated by said Companies on such terms and conditions as may be reciprocally convenient to them and conducive to the public, and, provided, further, that any differences that may arise between the Companies, shall be referred to one of the Chancellors for decision.

Mr. HUTSON moved to lay the amendment on the Table, and the question being put, "Will the House agree thereto?" Tellers were called for, and the House divided, Messrs. Sullivan and Middleton were appointed to count the House, and reported 43 in the affirmative and 42 in the negative. So the House ordered the amendment to *lie on the Table*.

The Bill was then read the second time and was ordered to be sent to the Senate.

The House then suspended the General Orders and read, a third time, A Bill to vest all the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald,

*Resolved,* That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered,* That it be returned to the Senate.

The House again resumed the consideration of the

### GENERAL ORDERS.

The following Bills were ordered to *lie on the Table* :

A Bill to alter the 97th section of the Militia Laws of this State, so as to authorize Colonels of Regiments to appoint their own collectors of fines.

A Bill to give to the officers commanding companies, the right to



hold Courts martial for the trial of all defaulters for company and patrol duty within their respective limits,

A Bill to reduce the number of petty musters, and for other purposes ; and,

A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General.

A Bill to incorporate the Carolina Mutual Insurance Company of Charleston ; was read the second time and was ordered to be sent to the Senate.

A Bill to alter and amend the Free School Laws of this State, was ordered to *lie on the Table*.

A Bill to alter and amend the Free School Laws of this State, was called for a second reading.

Mr. McGOWAN moved that it be made the special order of the day for the first Wednesday after the first Tuesday in December next, at 1 o'clock, P. M. And the question being put, " Will the House agree thereto ? " it was decided in the negative.

Yeas, 44—Nays, 55.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Beaty,

Bradley,

Broyles,

Burt,

Cash,

Crunkshank,

Duncan,

Durant,

Elliott,

Flagg,

Gadsden,

Hampton,

Hunt,

Hutson,

W. R. Johnson,

Lesesne,

McBee,

Messrs. McCrady,

McGowan,

Middleton,

Mitchell,

Moorer,

Morgan,

Munro,

Murray,

O'Bryan,

B. F. Perry,

J. B. Perry,

Porcher,

Read,

Rice,

Rosborough,

Seigling,

Stokes,

Messrs. Thornwell,  
Torre,  
Trenholm,  
Tucker,  
Vance,

Messrs. Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are,

Messrs. Alexander,  
Allen,  
Anderson,  
Ashmore,  
Bailey,  
Bates,  
Blakeney,  
Blum,  
Boykin,  
Boylston,  
Brown,  
Byrd,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clawson,  
Crosson,  
Cureton,  
Ellis,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Green,  
Hammond,  
Harrison,

Messrs. Hearst,  
Hope,  
Hudgens,  
Tillman Ingram,  
Jordan,  
Kershaw,  
Lawton,  
Leitner,  
Manigault,  
Mekon,  
Mobley,  
Mullins,  
Owens,  
Patterson,  
Pickens,  
Pitts,  
Poppenheim,  
Sloan,  
Springs,  
Steele,]  
Sullivan,  
Thomson,  
Tillinghast,  
Trotti,  
Wallace,  
Williams, and  
Winsmith.

The Bill was then read the second time and was ordered to be sent to the Senate.

A Bill to appropriate the sum of \$3,500 for the erection of a suitable

building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg District; and,

A Bill to exempt Robert Hopton, a free person of color, from capitation tax; were read the second time and were ordered to be sent to the Senate.

A Bill to establish Boards of Direction for Common Schools and for other purposes, was called for a second reading; and,

On motion of Mr. TUCKER, was made the special order of the day for the first Friday after the fourth Monday in November next at 1 o'clock, P. M.

A Bill to authorize the State to aid in the construction of the North Eastern Rail Road, was called for a second reading, and progress having been made thereon.

Under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair, on motion of Mr. WAGNER, the debate on A Bill to authorize the State to afford aid in the construction of the North Eastern Rail Road was suspended, when,

Mr. WAGNER, from the Special Committee on the State House and Grounds, made a report on the report of the Commissioners of the Fire Proof Building; which was ordered for consideration immediately, and was agreed to, and was ordered to be sent to the Senate for concurrence.

The House then resumed the consideration of the

### GENERAL ORDERS.

The reading of the Bill to authorize the State to aid in the construction of the North Eastern Rail Road, and the debate thereon was resumed. The Bill was then ordered to be sent to the Senate.

A Bill to release from pledge the Rail Road shares belonging to the State; was read the second time, and was ordered to be sent to the Senate.

A Bill from the Senate to renew the charter of the Planters' and Mechanics' Bank, of South Carolina, was read a second time.

Mr. HUNT moved to amend the Bill, by adding thereto, among other sections, the following:—Section 8. Be it further enacted, that two Banks are hereby incorporated, to be named and known as follows: One to be known as the Exchange Bank of Columbia, with a capital of five hundred thousand dollars; one at Charleston to be known as the Farmers' and Exchange Bank of Charleston, with a capital of one million of dol-

lars, which shall have and possess the same rights and privileges, and be subject to the same duties, liabilities and obligations, herein provided for the said Planters' and Mechanics' Bank, and Union Bank, and Commercial Bank.

Mr. CAMPBELL moved to amend the amendment, by striking out the word two, and inserting "eight;" and inserting, after the words "one million of dollars," the following:—"One at Chester, to be styled the Bank of Chester, South Carolina, with a capital of five hundred thousand dollars; one at Newberry, to be styled the Bank of Newberry, South Carolina, with a capital of \$200,000; one at Wixonsboro', to be styled the Planters' Bank of Fairfield, with a capital of \$200,000; one at Anderson, to be styled the Western Bank of South Carolina, with a capital of \$200,000; one at Sumterville, to be styled the Bank of Sumterville, with a capital of \$300,000; and one at Charleston, to be styled the People's Bank of South Carolina, with a capital of one million of dollars."

Mr. BURT moved to lay the amendment to the amendment on the table; and the question being put—Will the House agree thereto?—it was decided in the negative.

Yeas, 41—Nays, 59.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

Messrs. Allen,  
Anderson,  
Bailey,  
Beaty,  
Blakeney,  
Boykin,  
Bradley,  
Burt,  
R. E. Campbell,  
Cash,  
Charles,  
Christie,  
Dantzler,  
Durant,  
Flagg,

Messrs. Fox,  
Gourdin,  
Hammond,  
Hearst,  
Hope,  
Hudgens,  
B. J. Johnson,  
W. R. Johnston,  
Keitt,  
Leitner,  
McKnight,  
Mobley,  
Moorer,  
Mullins,  
Munro,

Messrs. Murray,  
Owens,  
B. F. Perry,  
Rice,  
Springs,  
Sullivan,

Messrs. Thornwell,  
Torre,  
Wagner,  
Wescoat, and  
Williams.

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker ; and

Messrs. Alexander,  
Ashmore,  
Bates,  
Blum,  
Boylston,  
Brown,  
Broyles,  
J. B. Campbell,  
Cauthen,  
Clarke,  
Clawson,  
Crosson,  
Cruikshank,  
Cureton,  
Duncan,  
Elliott,  
Ellis,  
Gadberry,  
Garlington,  
Hampton,  
Hunt,  
Hutson,  
Tillman Ingram,  
Jordan,  
Kershaw,  
Lanneau,  
Lawton,  
Lessesne,  
McBee,

Messrs. McCrady,  
McGowan,  
Manigault,  
Maybin,  
Melton.  
Middleton,  
Mitchell,  
Morgan,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Reynolds,  
Rosborough,  
Seigling,  
Shedd,  
Sinkler,  
Sloan,  
Steele,  
Stokes,  
Thomson,  
Tillinghast,  
Tradewell,  
Trenholm,  
Trotti,  
Tucker,  
Wallace,  
Winsmith, and  
Witherspoon.

The amendment to the amendment was then agreed to by the House.

The question being put, will the House agree to the amendment as amended? it was decided in the affirmative.

Mr. SULLIVAN moved as an amendment to the Bill, the following additional section :

*“ Provided, also, that this Act shall be limited in its operation to the term of fourteen years.”*

Mr. DANTZLER moved to lay the amendment on the table, and the question being put, will the House agree thereto? it passed in the affirmative.

Yeas, 64—Nays, 33.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker ; and

Messrs. Ashmore,

Bates,

Blakeney,

Blum,

Boykin,

Bradley,

Broyles,

J. B. Campbell,

Christie,

Cruikshank,

Dantzler,

Duncan,

Elliott,

Flagg,

Fox,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hampton,

Howell,

Hutson,

B. J. Johnson,

Keitt,

King,

Messrs. Lanneau,

Lawton,

Lesesne,

McBee,

McCrary,

McGowan,

Manigault,

Middleton,

Mitchell,

Mobley,

Moorer,

Morgan,

Murray,

O'Bryan,

Owens,

Patterson,

B. F. Perry,

J. B. Perry,

Pickens,

Pitts,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Messrs. Rosborough,  
Siegling,  
Sinkler,  
Springs,  
Thornwell,  
Tradewell,  
Trenholm,

Messrs. Trotti,  
Tucker,  
Vance,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Alexander,  
Anderson,  
Bailey,  
Beaty,  
Bolyston,  
Brown,  
R. E. Campbell,  
Cauthen,  
Clarke,  
Clawson,  
Crosson,  
Cureton,  
Durant,  
Ellis,  
Ervin,  
Garlington,  
Hearst,

Messrs. Hope,  
Hudgens,  
Hunt,  
Tillman Ingram,  
W. R. Johnson,  
Jordan,  
Kershrow,  
Leitner,  
Melton,  
Shedd,  
Sloan,  
Sullivan,  
Torre,  
Wallace,  
Williams, and  
Winsmith.

The title of the Bill, on motion of Mr. MIDDLETON, was then changed so as to read, "A Bill to re-charter the Planters' and Mechanics' Bank of South Carolina, the Union Bank of South Carolina, the Commercial Bank of Columbia, South Carolina, and to incorporate the Exchange Bank of Columbia, the Farmers' and Exchange Bank and the Peoples' Bank of Charleston, the Bank of Newberry, the Bank of Chester, the Bank of Sumterville, the Planters' Bank of Fairfield, and the Western Bank of South Carolina at Anderson," and the question being put, shall the Bill be sent to the Senate? it passed in the affirmative.

Yeas, 71—Nays, 35.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker ; and

|                    |                  |
|--------------------|------------------|
| Messrs. Alexander, | Messrs. McGowan, |
| Ashmore,           | McKnight,        |
| Blum,              | Manigault,       |
| Boylston,          | Maybin,          |
| Brown,             | Melton,          |
| Broyles,           | Morgan,          |
| Byrd,              | Munro,           |
| J. B. Campbell,    | Murray,          |
| Carwile,           | O'Bryan,         |
| Cash,              | Patterson.       |
| Cauthen,           | J. B. Perry,     |
| Charles,           | Pickens,         |
| Clarke,            | Pitts,           |
| Clawson,           | Poppenheim,      |
| Cruikshank,        | Read,            |
| Cureton,           | Reynolds,        |
| Duncan,            | Seigling,        |
| Elliott,           | Shedd,           |
| Flagg,             | Sloan,           |
| Gadberry,          | Springs,         |
| Gadsden,           | Steele,          |
| Hampton,           | Stokes,          |
| Hearst,            | Thomson.         |
| Howell,            | Thornwell,       |
| Hunt,              | Tillinghast,     |
| Hutson,            | Trenholm,        |
| Tilman Ingram,     | Tucker,          |
| Jordan,            | Vance,           |
| Kershaw,           | Wagner,          |
| Lanneau,           | Walker,          |
| Lawton,            | Wallace,         |
| Leitner,           | Weatherly,       |
| Lesesne,           | Wescoat,         |
| McBee,             | Williams, and    |
| McCrary,           | Witherspoon.     |

Those who voted in the negative, are



Messrs. Allen,

Anderson,

Bailey,

Beaty,

Blakeney,

Boykin,

Bradley,

Burt,

R. E. Campbell,

Christie,

Crosson,

Dantzler,

Durant,

Ervin,

Fox,

Garlington,

Gourdin,

Hammond,

Messrs. Harrison,

Hope,

Hudgens,

B. J. Johnson,

W. R. Johnson,

Keitt,

Mitchell,

Mobley,

Moorer,

Mullins,

Owens,

B. F. Perry,

Porcher,

Rice,

Sullivan,

Trotti, and

Winsmith.

The Bill was then ordered to be returned to the Senate.

Mr. LAWTON moved that A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-two, be called for a second reading; and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 45—Nays, 60.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,

Allen,

Bailey,

Beaty,

Blum,

Byrd,

Carwile,

Cauthen,

Clawson,

Crosson,

Messrs. Cureton,

Dantzler,

Duncan,

Durant,

Flagg,

Gadsden,

Hearst,

B. J. Johnson,

W. R. Johnson,

Jordan,

Messrs. Keitt,

Lawton,

Lesesne,

McBee,

McGowan,

Mobley,

Moorer,

Morgen,

Mullins,

Murray,

Patterson,

B. F. Perry,

Messrs. J. B. Perry,

Pickens,

Poppenheim,

Read,

Rice,

Sinkler,

Stokes,

Thomson,

Tillinghast,

Vance,

Walker, and

Wescoat.

Those who voted in the negative, are

Messrs. Anderson,

Ashmore,

Blakeney,

Boykin,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Cash,

Charles,

Clarke,

Cruikshank,

Elliott,

Ellis,

Ervin,

Fox,

Gadberry,

Garlington,

Gourdin,

Hampton,

Harrison,

Hope,

Messrs. Howell,

Hunt,

Hutson,

Tillman Ingram,

Kershaw,

Lanneau,

Leitner,

McCrary,

McKnight,

Manigault,

Maybin,

Melton,

Middleton,

Mitchell,

Munro,

O'Bryan,

Owens,

Pitta,

Porcher,

Reynolds,

Seigling,

Shedd,

Sloan,

Spriggs,

Steele,

Messrs. Sullivan,  
 Thornwell,  
 Trotti,  
 Tucker,  
 Wallace,

Messrs. Wagner,  
 Weatherly,  
 Willaims,  
 Winsmith, and  
 Witherspoon.

A Bill to establish certain roads, bridges and ferries, and to amend the laws respecting Commissioners of roads in certain particulars ;

A Bill to alter and arrange the times of the sittings of the Courts of Equity on the Fifth Circuit ; and

A Bill to amend the charters of certain towns and villages heretofore incorporated ; were read the second time and ordered to be sent to the Senate.

On motion of Mr. MIDDLETON, the House was adjourned at 10 minutes past 11 o'clock, P. M.

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TUESDAY, DECEMBER 14, 1852.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. KING, leave of absence was granted to Mr. B. J. Johnson ; and,

On motion of Mr. OWENS, leave of absence was granted to Mr. Bailey, for the remainder of the session.

The Senate returned to this House,

An Act to vest the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald wife of Donald D. McDonald ;

An Act to amend An Act entitled An Act to incorporate the Commercial Insurance Company ;

An Act to incorporate the Beaufort Female Seminary ;

An Act to incorporate the Columbia and Beaufort' Loan and Building Association ;

An Act to alter and amend an Act, entitled an Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, which were severally committed to the Committee on Engrossed Acts.

The following Messages were received from the Senate :

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate concurs in the proposal of your House to unite with your House in a joint ballot for President and Directors of the Bank of the State of South Carolina on Wednesday next, at 12 o'clock, M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives ;*

Senate grants leave to your House to amend the report of the Committee on Claims and Grievances of Senate, by striking out the charge of \$9, allowed the Charleston Mercury for publishing the presentment of the Grand Jury, the Senate having consented that the proprietor of that paper have leave to withdraw that item of his account from farther consideration at the present session of the Legislature.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate returned a Bill to extend the charter of the Bank of the State of South Carolina, which was read the third time, . .

*Resolved*, That the Bill do pass—that the title thereof be changed—that it be called an Act.

*Ordered*, That it be sent to the Senate.

The following Message was received from the Senate :

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives ;*

Senate asks leave of your House to amend the Bill of your House concerning derelict estates and the partition and sale of real estate by the Ordinary, by striking out all after the enacting clause of the Bill and inserting the following words, " That the 7th section of the Act of 1839, entitled an Act concerning the office and duties of Ordinary, and all other Acts and parts of Acts authorizing the Ordinary to take charge of and administer derelict estates, be, and the same are hereby repealed, and also, further to amend the title of the Bill, so that it will read as follows: 'A Bill to repeal all Acts and parts of Acts, authorizing Ordinaries to take charge of and administer derelict estates, which amendment was made by

Senate on the second reading of the Bill, and was disagreed to by your House on the third reading.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. OWENS moved that the House grant leave to amend; and the question being put, Will the House agree thereto? it passed in the affirmative, and an answer was returned accordingly.

Yeas, 55—Nays, 40.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and,

|                |                |
|----------------|----------------|
| Messrs. Allen, | Messrs. McBee, |
| Ashmore,       | McKnight,      |
| Bates,         | Maybin,        |
| Beaty,         | Middleton,     |
| Boykin,        | Mitchell,      |
| Bradley,       | Mobley,        |
| Burt,          | Moorer,        |
| Byrd,          | Morgan,        |
| Carwile,       | Murray,        |
| Cauthen,       | O'Brian,       |
| Christie,      | Owens,         |
| Clawson,       | Patterson,     |
| Cureton,       | B. F. Perry,   |
| Dantzler,      | Pickens,       |
| Duncan,        | Pitts,         |
| Durant,        | Poppenheim,    |
| Ervin,         | Read,          |
| Flagg,         | Rice,          |
| Gadberry,      | Rosborough,    |
| Gadsden,       | Seigling,      |
| Hammond,       | Stokes,        |
| Harrison,      | Tucker,        |
| Hearst,        | Vance,         |
| W. R. Johnson, | Walker,        |
| King,          | Williams, and  |
| Lawton,        | Winsmith.      |
| Leitner,       |                |

Those who voted in the negative, are

Messrs. Alexander,  
Anderson,  
Blum,  
Boylston,  
Brown,  
Broyles,  
J. B. Campbell,  
Cash,  
Clarke,  
Crosson,  
Cruikshank,  
Ellis,  
Fox,  
Garlington,  
Gourdin,  
Hampton,  
Hope,  
Howell,  
Hudgens,  
Hunt,

Messrs. Hutson,  
J. I. Ingram,  
Lanneau,  
Lesesne,  
McCrary,  
Manigault,  
Melton,  
Mullins,  
Munro,  
J. B. Perry,  
Shedd,  
Springs,  
Steele,  
Sullivan,  
Thornwell,  
Trenholm,  
Trotti,  
Wallace,  
Weatherly, and  
Witherspoon.

The Senate sent to this House for concurrence,

Reports of the Committee on College, Education and Religion,

On the presentment of the Grand Jury of Abbeville District, recommending a fixed rate of tuition in Free School fund; and,

On the presentment of the Grand Jury of Charleston; which were severally referred to the Committee on Education.

Report of the Committee on Claims and Grievances, on the account of the Clerk of the Senate for stationary furnished the Senate; which was referred to the Committee on Claims.

Report of the Committee on Roads and Buildings, on the petition of the Commissioners of Public Buildings for Marion District; which was referred to the Committee on Public Buildings; and,

The report of the Committee on Agriculture and Internal Improvements, on the report of the President of the Cheraw and Anson Plank Road Company; which was referred to the Committee on Internal Improvements.

Mr. HUTSON, from the Committee on the Judiciary, made reports,

On the petition of sundry citizens of York, praying the repeal of the Act commonly called the Homestead Law ;

On the petition of Annette Elliott and others ;

On a Bill from the Senate to confer on Mark and Isaac Iseman, certain rights and privileges in relation to a piece of land by them purchased ; and,

On a Bill from the Senate to confer on Joseph Frank certain rights and privileges in relation to a piece of land by him purchased ; which were severally ordered for consideration to-morrow.

Mr. HUTSON, from the same Committee, made a report on the petition of sundry citizens of Edgefield District, praying a division into two Judicial Districts ; which was ordered for consideration immediately, and was agreed to ; and,

Mr. ALLEN obtained leave to withdraw the petition.

Mr. SULLIVAN, from the Committee on Education, made reports,

On the petition of Daniel Mahony ;

On the petition of the Commissioners of Free Schools of Columbia ;

On the report of the Commissioners of the Deaf and Dumb, on their expenditures ; which were severally ordered for consideration to-morrow.

Mr. SLOAN, from the Committee on Privileges and Elections, made reports,

On the petition of sundry citizens of York, praying a change in the day of Election ; and

On the presentment of the Grand Jury of Colleton, concerning the practice of treating at elections ; which were severally ordered for consideration to-morrow.

Mr. VANCE, from the Committee on Internal Improvement, made a report on a Bill to amend the charter of the Wilmington and Manchester Rail Road Company ; which was ordered for consideration to-morrow.

Mr. TORRE submitted the following Resolution, which was ordered to be considered immediately ; was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That it shall be the duty of the Comptroller General hereafter, to classify the vouchers which accompany his Annual Report, so as to exhibit them under the same division as are employed in stating the amounts paid out at the two Treasuries respectively.

The Senate sent to this House a Bill to make appropriations for the year, commencing one thousand eight hundred and fifty-two ; which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act.

*Ordered*, That it be sent to the Senate.

The following message was received from the Senate; was concurred in and an answer returned.

IN THE SENATE, Dec. 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate proposes to your House to rescind the joint Resolution, naming Wednesday as the day of adjournment, and to fix Thursday, 9 o'clock, P. M., as the time of adjournment.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. HAMPTON moved to take up the Resolution to rescind the 52nd rule of this House for the remainder of the session.

Mr. SEIGLING moved to amend the Resolution, so as to allow Bills to be read on the day of adjournment, until 4 o'clock, P. M., of that day.

Mr. BOYLSTON moved to amend the amendment by striking out "4" and inserting "2."

On motion of Mr. OWENS, the Resolution and its proposed amendments were ordered to *lie on the Table*.

Mr. LEITNER, from the Committee on Internal Improvements, made a report on the various memorials asking a disposition of the public works of this State; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate.

Mr. ASHMORE, from the Committee on Claims, made a report on the account of the Clerk of the Senate; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to incorporate certain Religious and Charitable Societies and Societies for the advancement of Education,

A Bill to incorporate certain Societies, Associations and Companies, and for the re-charter of others, were read the second time and ordered to be sent to the Senate.

Mr. GADBERRY, from the Committee on the Military, to whom was referred the report of the Senate Committee on the petition of Oliver Towles, made a report, and submitted a Resolution which were ordered



to be considered immediately, and were agreed to. "That the resolution submitted by the Senate Committee be stricken out, and that the following be inserted :

*Resolved*, That the claim of the heirs of Jane Towles for seven years' half pay of her husband, Oliver Towles, who was a Captain in the 3d Continental Regiment, South Carolina line, and killed in the service, appears to be equitable and just ; that the same has never been audited or paid by the State on account of the United States under the Resolution of Congress, 1780 ; and it is therefore recommended that Congress make provision for the payment of the same."

On motion of Mr. GADBERRY, a message was sent to the Senate asking leave to make the amendment proposed by the Committee, and the following Message were received from the Senate :

IN THE SENATE, December 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate grants leave to your House to amend the report of the Committee on the Military and Pensions, on the petition of Oliver Towles, praying that certain claims may be audited, by striking out the resolution accompanying the report and inserting the following Resolution :

That the claim of the heirs of Jane Towles, for seven years' half pay, of her husband Oliver Towles, who was a Captain in the 3d Continental Regiment, South Carolina line, and killed in the service, appears to be equitable and just ; that the same has never been audited or paid by this State on account of the United States under the Resolution of Congress of 1780 ; and it is therefore recommended that Congress make provision for the same.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The report of the Committee on Privileges and Elections on the Communication of Mr. John C. Allen, a member from Edgefield, was considered and agreed to.

On motion of Mr. MIDDLETON it was ordered that the Speaker do issue to Mr. Allen, member from Edgefield, whose seat has just been declared vacant, a pay bill for his mileage and per diem for the number of days he has served in this House.

On motion of Mr. HUTSON, it was ordered that a message be sent to the Senate requesting assent of that body to the entry, at large, in the printed Reports and Resolutions of this General Assembly, the report of

the Committee on Privileges and Elections on the communication of Mr. John C. Allen.

A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-two, was being read the second time, when

Mr. ASHMORE moved to amend the first section of the Bill by the following words, "Sixty-five cents upon every hundred dollars' worth of goods, wares and merchandize, embracing all the articles of trade for sale, barter or exchange, [the products of this State and the manufactured products of the United States or the Territories thereof excepted.] which any person shall use or employ as articles of trade, sale, barter or exchange, or have in his her or their possession on the first day of January, in the year of our Lord, one thousand eight hundred and fifty three."

Mr. BURT moved to lay the amendment upon the table, and the question being put, will the House agree thereto? it was decided in the negative.

Yeas, 51—Nays, 53.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,

Beaty,

Blakely,

Boykin,

Bradley,

Brown,

Burt,

Byrd,

Cash,

Cauthen,

Clarke,

Duncan,

Durant,

Ervin,

Gadsden,

Hearst,

Hutson,

B. J. Johnson,

W. R. Johnson,

Messrs. Keitt,

Kershaw,

Leitner,

Lesesne,

McBee,

McGowan,

McKnight,

Manigault,

Middleton,

Moorer,

Morgan,

Munro,

Murray,

B. F. Perry,

Pickens,

Poppenheim,

Rice,

Rosborough,

Sloan,

Messrs. Springs,  
Thompson,  
Thornwell,  
Tradewell,  
Trenholm,  
Tucker,

Messrs. Vance,  
Walker,  
Wallace,  
Weatherly,  
Williams, and  
Winsmith.

Those who voted in the negative, are

Messrs. Anderson,  
Ashmore,  
Bailey,  
Bates,  
Boylston,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Christie,  
Crosson,  
Cruikshank,  
Cureton,  
Dantzler,  
Elliott,  
Elagg,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Hope,  
Howell,  
Hudgens,  
Hunt,

Messrs. J. I. Ingram,  
Jordan,  
Lanneau,  
Lawton,  
McCrady,  
Melton,  
Mitchell,  
Mobley,  
Mullins,  
Owens,  
Patterson,  
Pitts,  
Porchet,  
Read,  
Reynolds,  
Shedd,  
Sinkler,  
Stokes,  
Steele,  
Sullivan,  
Tillinghast,  
Torre,  
Trotti,  
Wagner,  
Wescot and  
Witherspoon.

The question then recurred on Mr. Ashmore's amendment, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 44—Nays, 65.

Those who voted in the affirmative, are

Messrs. Anderson,  
Ashmore,  
Bates,  
Blum,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Charles,  
Crosson,  
Dantzler,  
Elliott,  
Flagg,  
Fox,  
Garlington,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Hope,  
Howell,  
Hudgens,  
J. I. Ingram,

Messrs. King,  
Lanneau,  
Lawton,  
Mitchell,  
Mobley,  
O'Bryan,  
Owens,  
Patterson,  
Pitts,  
Porcher,  
Read,  
Reynolds,  
Seigling,  
Sinkler,  
Stokes,  
Sullivan,  
Tillinghast,  
Torre,  
Trotti,  
Wagner, and  
Westcoat.

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker: and

Messrs. Alexander,  
Bailey,  
Beaty,  
Blakeney,  
Boykin,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burt,  
Byrd,  
Cash,  
Cauthen,

Messrs. Clarke,  
Clawson,  
Cruikshank,  
Cureton,  
Duncan,  
Durant,  
Ellis,  
Ervin,  
Gadberry,  
Gourdin,  
Hearst,  
Hunt,  
Hutson,

Messrs. Tilman

Ingram,

B. J. Johnson,

W. R. Johnson,

Jordan,

Kershaw,

Leitner,

Lesesne,

McBee,

McCrady,

McGowan,

McKnight,

Manigault,

Melton,

Middleton,

Morgan,

Mullins,

Munro,

Murray,

B. F. Perry,

Messrs. J. B. Perry,

Pickens,

Poppenheim,

Rice,

Rosborough,

Shedd,

Sloan,

Springs,

Steele,

Thompson,

Thornwell,

Tradewell,

Trenholm,

Tucker,

Vance,

Wallace,

Weatherly,

Williams,

Winsmith, and

Witherspoon.

The Bill was then read the second time, and was ordered to be sent to the Senate.

The Senate returned to the House an Act to repeal all Acts and parts of Acts authorizing the ordinary to take possession of, and administer Derelict Estates, and an Act to Extend the Charter of the Bank of the State of South Carolina; which were committed to the committee on Engrossed Acts.

The following Message was received from the Senate :

IN THE SENATE, December 14th, 1852.

*Mr. Speaker, and Gentlemen of the*

*House of Representatives:*

The Senate asks leave of your House to amend the report of the Committee on Public Buildings on the petition of the Commissioners of Public Buildings, for Richland District, by adding the following proviso :

*Provided*, No application shall hereafter be made to this Legislature for an appropriation to erect, or to assist in erecting the new jail proposed and referred to in the said petition.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

A Bill from the Senate to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, was called for a second reading, and progress having been made thereon, under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

## RECESS.

The SPEAKER resumed the chair.

The reading of a Bill from the Senate to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, was continued.

Mr. TUCKER moved to amend the Bill by adding the following proviso :

*Provided*, The said South Carolina Rail Road Company do transport merchandize and other articles of freight at the same rates, and with equal promptness, from Charleston to Columbia, as it does from Charleston to Hamburg.

Mr. RICE moved to lay the amendment on the table ; and the question being put, Will the House agree thereto ? it was passed in the affirmative.

Yeas, 57—Nays, 44.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker; and,

|                |                  |
|----------------|------------------|
| Messrs. Beaty, | Messrs. Hampton, |
| Blakeney,      | Howell,          |
| Blum,          | Hudgens,         |
| Boykin,        | Hunt,            |
| Bradley,       | Hutson,          |
| Burt,          | B. J. Johnson,   |
| Cash,          | Jordan,          |
| Cruikshank,    | Keitt,           |
| Duncan,        | Kershaw,         |
| Durant,        | King,            |
| Elliott,       | Lanneau,         |
| Flagg,         | Lawton,          |
| Fox,           | Lesesne,         |
| Gourdin,       | McBee,           |
| Hammond,       | McCrady,         |

Messrs. McKnight,  
Manigault,  
Mitchell,  
Morgan,  
Mullins,  
Munro,  
Owens,  
O'Bryan,  
B. F. Perry,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,

Messrs. Rice,  
Seigling,  
Sloan,  
Stokes,  
Sullivan,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Trenholm,  
Trotti,  
Weatherly, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Anderson,  
Ashmore,  
Bates,  
Boylston,  
Brown,  
Broyles,  
Byrd,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clarke,  
Clawson,  
Crosson,  
Dantzler,  
Ellis,  
Ervin,  
Gadberry,  
Garlington,  
Green,  
Hearst,

Messrs. Hope,  
J. I. Ingram,  
W. R. Johnson,  
Leitner,  
McGowan,  
Maybin,  
Melton,  
Middleton,  
Moblely,  
Moorer,  
Murray,  
J. B. Perry,  
Pickets,  
Pitts,  
Rosborough,  
Springs,  
Steele,  
Thomson,  
Tucker,  
Wallace,  
Williams, and  
Winsmith.

The Bill was then ordered to be sent to the Senate.

A Bill to authorize the State to aid in the construction of the Pendleton Rail Road, was read the second time.

On motion of Mr. MIDDLETON, its title was amended so as to read, "A Bill to authorize aid in the construction of the Pendleton Rail Road;" and the Bill was then ordered to be sent to the Senate.

A Bill to authorize the State to afford aid in constructing the Pendleton Rail Road; and,

A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road; were ordered to *lie on the Table*.

A Bill to provide for the formation of the Savannah River Valley Rail Road Company; was read the second time, and was ordered to be sent to the Senate.

A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road was read the second time.

On motion of Mr. MIDDLETON, the title was amended by striking out the words, "State to grant;" and the Bill was then ordered to be sent to the Senate.

A Bill from the Senate to incorporate the Blue Ridge Rail Road Company in South Carolina; was read the second time.

Mr. B. F. PERRY submitted the following amendment, as an additional section of the Bill:

Sec. 13. That the faith and funds of the State of South Carolina be, and the same are hereby, pledged to secure the punctual payment of any contract which shall be made for borrowing money by the "Blue Ridge Rail Road Company in South Carolina," from any person or persons, company or companies, corporation or corporations, to any amount not exceeding one million two hundred and fifty thousand dollars, either in the United States or in Europe; and when such contracts shall be made by bond or bonds, signed by the President of the said Company, under its seal, and countersigned by the Secretary or Treasurer thereof, it shall be the duty of the Comptroller General of this State to endorse thereon, that the faith and funds of the State of South Carolina are pledged to the faithful performance of the said contract or contracts, as it respects the punctual payment, both of the principal and the interest, according to the terms of the said contract or contracts. *Provided*, that the interest to be made payable thereon shall not exceed six per cent per annum, in quarterly or half yearly payments; and, provided also, that the Comptroller General shall not endorse any such contract or contracts, until satisfactory proof is produced to the Governor of the State or the Comptroller Gene-



ral, that five hundred thousand dollars are duly subscribed by responsible persons, companies or corporations, to the capital stock of the said "Blue Ridge Rail Road Company in South Carolina;" and, provided further, that such endorsement shall not be made until the Governor or Comptroller General shall have satisfactory proof that such subscriptions have been made, or aid furnished to other Rail Road Companies in North Carolina and Tennessee, designed to connect the said Blue Ridge Rail Road with the "Georgia and East Tennessee Rail Road," as shall give reasonable assurance of the construction of the said North Carolina and Tennessee Rail Roads.

Sec. 14. That as soon as the Comptroller General shall have made any such endorsement on any such contract, the whole estate, property and funds within the State, which the said Company may then possess, or shall afterwards acquire, shall thenceforth stand pledged and mortgaged to the State, without any further act or deed on the part of the Company, for the faithful and punctual performance on the part of the said Company of such contract, in priority and preference of any other debt which the said Company may then or at any other time owe; *Provided*, that nothing herein contained shall be construed to prevent the said "Blue Ridge Rail Road Company in South Carolina," from applying the proceeds of the loan so made by them, and the instalments which may be called for and paid in, on the stock of the Company, for the purpose of constructing, equipping, and working the Road, and for no other purpose except to pay the interest on the said loan or loans, and the ultimate extinguishment of the principle thereof. And, provided further, that so long as no part of the principal of the debt of the Company, under the contracts aforesaid, shall be due and unpaid, it shall be lawful for the Company to divide among its stockholders its surplus nett income, after payment of the interest due upon its debts.

The debate thereon was suspended, and

The following message was received from the Senate :

IN THE SENATE, December, 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the Bill to make appropriations for the year commencing October 1852, by striking out the following words, " for pay and mileage of the Electors of President and Vice President of the United States, at the late election, two hundred dollars, if so much be necessary," and also by striking out the following, " for print-

ing and distributing tax returns, twelve hundred dollars, if so much be necessary." "For copying Tax Books, two hundred dollars;" and also further to amend by adding the following, "office rent of L. J. Jones, Commissioner in Equity, for Newberry District, one hundred and twenty-five dollars." "For office rent of James Bonds, Sheriff of Newberry District, one hundred and eighty-three dollars and thirty-three cents." "For office rent of B. J. Ramage, Clerk of the Court of Newberry District, one hundred and fifty dollars." "For office rent of E. P. Lake, Ordinary of Newberry District, ninety-seven dollars and fifty cents."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. MIDDLETON, granted to the Senate so to amend, and an answer was returned accordingly.

The House resumed the debate on the amendment submitted by Mr. PERRY.

Mr. GADBERRY moved to lay the amendment on the Table, and the question being put, "Will the House agree thereto?"

The Yeas and Nays were requested and are as follows:

Yeas 35—Nays 60.

Those who voted in the affirmative, are

Messrs. Bates,

Beaty, .

Boykin,

Boylston,

Byrd,

Christie,

Clawson,

Cureton,

Dantzler,

Durant,

Ellis,

Flagg,

Fox,

Gadberry,

Hope,

Hudgens,

Hutson,

Tilman Ingram,

Messrs. W. R. Johnson,

Keitt,

Lawton,

Manigault,

Mobley,

Mullins,

Munro,

Owens,

Rice,

Rosborough,

Shedd,

Stokes,

Thornwell,

Tillinghast,

Trotti,

Wallace, and

Winsmith.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker: and

|                    |                  |
|--------------------|------------------|
| Messrs. Alexander, | Messrs. Lesesne, |
| Anderson,          | McBee,           |
| Ashmore,           | McCrary,         |
| Blum,              | McGowan,         |
| Bradley,           | Maybin,          |
| Brown,             | Middleton,       |
| Broyles,           | Mitchell,        |
| Burt,              | Morgan,          |
| J. B. Campbell,    | Murray,          |
| R. E. Campbell,    | B. F. Perry,     |
| Cash,              | Pickens,         |
| Clarke,            | Pitts,           |
| Crosson,           | Poppenheim,      |
| Cruikshank,        | Porcher,         |
| Duncan,            | Read,            |
| Elliott,           | Reynolds,        |
| Garlington,        | Seigling,        |
| Gourdin,           | Sinkler,         |
| Hammond,           | Sloan,           |
| Harrison,          | Springs,         |
| Hearst,            | Steele,          |
| Howell,            | Sullivan,        |
| Hunt,              | Thomson,         |
| J. I. Ingram,      | Torre,           |
| B. J. Johnson,     | Tradewell,       |
| Jordan,            | Trenholm,        |
| Kershaw,           | Vance,           |
| King,              | Wagner, and      |
| Lanneau,           | Witherspoon.     |
| Leitner,           |                  |

Mr. HUTSON moved the indefinite postponement of the amendment, and the question being put, "Will the House agree thereto?" it was decided in the negative.

Yeas 32—Nays 57.

The Yeas and Nays were requested and are as follows:

Those who voted in the affirmative, are

Messrs. Bates,  
 Beaty,  
 Boykin,  
 Boylston,  
 Christie,  
 Clarke,  
 Clawson,  
 Cureton,  
 Danzler,  
 Durant,  
 Flagg,  
 Fox,  
 Gadberry,  
 Hope,  
 Hudgens,  
 Hutson,

Messrs. J. I. Ingram,  
 Tillman Ingram,  
 W. R. Johnston,  
 Keitt,  
 McKnight,  
 Mobley,  
 Mullins,  
 Munro,  
 Owens,  
 Rosborough,  
 Stokes,  
 Thornwell,  
 Tillinghast,  
 Trotti,  
 Wallace, and  
 Winsmith.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,  
 Anderson,  
 Ashmore,  
 Blum,  
 Bradley,  
 Brown,  
 Broyles,  
 Burt,  
 J. B. Campbell,  
 R. E. Campbell,  
 Cash,  
 Crosson,  
 Cruikshank,  
 Duncan,  
 Elliott,  
 Garlington,  
 Gourdin,  
 Hammond,  
 Harrison,  
 Hearst,

Messrs. Howell,  
 Hunt,  
 B. J. Johnson,  
 Jordan,  
 Kershaw,  
 King,  
 Lanneau,  
 Lawton,  
 Leitner,  
 Lesesne,  
 McBee,  
 McCrady,  
 McGowan,  
 Middleton,  
 Mitchell,  
 Morgan,  
 B. F. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,

Messrs. Porcher,  
Read,  
Reynolds,  
Rice,  
Seigling,  
Sloan,  
Springs,  
Steele,

Messrs. Sullivan,  
Thomson,  
Torre,  
Tradewell,  
Trenholm,  
Vance,  
Wagner, and  
Witherspoon.

The question then recurred on the amendment proposed by Mr. B. F. PERRY, and the question being put, Will the House agree thereto? it passed in the affirmative.

Yeas, 56—Nays, 36.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Anderson,  
Ashmore,  
Blum,  
Bradley,  
Brown,  
Broyles,  
Burt,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Crosson,  
Cruikshank,  
Duncan,  
Elliott,  
Garlington,  
Gourdin,  
Hammond,  
Harrison,  
Hearst,  
Howell,  
Hunt,

Messrs. B. J. Johnson,  
Jordan,  
Kershaw,  
King,  
Lanneau,  
Lesesne,  
McBee,  
McCrary,  
McGowan,  
McKnight,  
Middleton,  
Mitchell,  
Morgan,  
B. F. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Seigling,  
Sinkler,

Messrs. Sloan,  
Springs,  
Steele,  
Sullivan,  
Thomson,  
Torre,

Messrs. Tradewell,  
Trenholm,  
Vance,  
Wagner, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Bates,  
Beaty,  
Boykin,  
Boylston,  
Byrd,  
Christie,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Durant,  
Ellis,  
Flagg,  
Fox,  
Gadberry,  
Hope,  
Hudgens,  
Hutson,

Messrs. J. I. Ingram,  
Tillman Ingram,  
W. R. Johnston,  
Keitt,  
Lawton,  
Leitner,  
Manigault,  
Mobley,  
Mullins,  
Munro,  
Owens,  
Rice,  
Rosborough,  
Stokes,  
Thornwell,  
Trotti,  
Wallace, and  
Winsmith.

The Bill was then ordered to be sent to the Senate.

The Senate returned to this House an Act to make appropriations for the year commencing October, one thousand eight hundred and fifty-two, which was committed to the Committee on Engrossed Acts.

On motion of Mr. TRADEWELL, the House was adjourned at forty-five minutes past eleven o'clock, P. M.

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WEDNESDAY, DECEMBER 15, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. WAGNER, leave of absence was granted to Mr. Keitt for the remainder of the session.

On motion of Mr. OWENS, leave of absence was granted to Messrs. Lawton and Walker for the remainder of the session.

On motion of Mr. ELLIS, leave of absence was granted to Mr. Poppenheim for the rest of the session.

On motion of Mr. WINSMITH, leave of absence was granted to Mr. Tillinghast for the remainder of the session.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. SHEDD for the remainder of the session.

On motion of Mr. SEIGLING, leave of absence was granted to Mr. Ellis for the remainder of the session.

Messrs. HAMPTON, CAUTHEN, WILLIAMS, WEATHERLY and BLAKENEY asked and obtained leave to record the vote they would have given, on agreeing to the amendment proposed yesterday by Mr. J. B. Perry to the Bill to incorporate the Blue Ridge Rail Road Company, had they been present; and their names having been called by the Clerk, Messrs. Hampton and Blakeney answered aye and Messrs. Cauthen, Williams and Weatherly answered no.

The SPEAKER laid before the House the account of H. J. Dean, Clerk of the House, for stationery furnished the House of Representatives; which was referred to the Committee on Claims.

The Senate returned to this House the following Bills, which were read the third time:

A Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg.

A Bill to authorize the State to aid in the construction of the North Eastern Rail Road.

A Bill to release from pledge the Rail Road Shares belonging to the State.

A Bill to incorporate the Carolina Mutual Insurance Company of Charleston.

A Bill to exempt Robert Hopton, a free person of color, from capitation tax.

A Bill to amend the charters of certain towns and villages heretofore incorporated; the title whereof was amended by the Senate so as to read, A Bill to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted.

The Senate returned

A Bill to re-charter the Planters' and Mechanics' Bank of South Carolina, the Union Bank of South Carolina, the Commercial Bank of Columbia, South Carolina, and incorporate the Exchange Bank of Columbia, the Farmers' and Exchange Bank, and the People's Bank of Charleston, the Bank of Newberry, Bank of Chester, the Bank of Sumterville, the Planters' Bank of Fairfield, and the Western Bank of South Carolina, at Anderson.

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts; that they be sent and returned to the Senate.

The Senate also returned to this House A Bill to vest in William H. Trapp the exclusive right to navigate Little River: which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called An Act.

*Ordered*, That it be sent to the Senate.

The Senate sent to this House A Bill to authorize the South Carolina Rail Road Company to construct a certain bridge over the Congaree River, with the following clause stricken out, which had been added by the House to the Bill on the second reading:

SEC. XI. It is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters for incorporations will hereafter be granted," ratified on the 17th day of December, in the year 1841; that nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section upon any future grant, renewal or modification of their charter.

On motion of Mr. HAMPTON, it was ordered that a message be sent to the Senate, insisting on the part of this House, to restore the amendment so stricken out by the Senate.

The following message was received from the Senate.

IN THE SENATE, December 15, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives:*

Senate refuses to grant leave to your House to restore to the Bill, entitled A Bill to authorize the South Carolina Rail Road Company, to construct a certain bridge over the Congaree River, the following amendment made



by your House on the second reading and stricken out by the Senate on third reading :

SEC. XI. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled, " An Act to incorporate certain villages, societies and companies and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," ratified on the 17th December, in the year of our Lord, 1841; that nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section for any future grant, renewal or modification of their charter.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. HAMPTON, it was ordered that a message be sent to the Senate, informing that body, that this House insist on asking leave of the Senate to restore the amendment aforesaid, and that a committee of conference be appointed on the part of this House, and that the Senate be requested to appoint a similar committee to meet the committee appointed on the part of this House.

Whereupon, the SPEAKER appointed Messrs. Hampton, McCrady and Tradewell of the Committee.

The Senate then attended and joined the House in a ballot for President and Directors of the Bank of the State of South Carolina.

The Senate sent to this House, a Bill to amend the charter of the Wilmington and Manchester Rail Road Company; which was read the third time, and the question being put, Shall this Bill pass? it passed in the affirmative.

Yeas, 51—Nays, 43.

The Yeas and Nays were requested and are as follows :

Those who voted in the affirmative, are

Messrs. Ashmore,  
Blakeney,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burt,  
Byrd,

Messrs. Cash,  
Charles,  
Clarke,  
Clawson,  
Crosson,  
Duncan,  
Durant,  
Ellis,

|                       |                         |
|-----------------------|-------------------------|
| <b>Messrs. Ervin,</b> | <b>Messrs. Mullins,</b> |
| Flagg,                | Munro,                  |
| Gadberry,             | Murray,                 |
| Garlington,           | O'Bryan,                |
| Hearst,               | Owens,                  |
| Hope,                 | J. B. Perry,            |
| Howell,               | Pickens,                |
| Hudgens,              | Read,                   |
| Hutson,               | Rosborough,             |
| J. I. Ingram,         | Shedd,                  |
| Tillman Ingram,       | Steele,                 |
| Jordan,               | Stokes,                 |
| McGowan,              | Thornwell,              |
| McKnight,             | Thomson,                |
| Maybin,               | Trotti,                 |
| Mekon,                | Vance, and              |
| Middleton,            | Witherspoon.            |
| Moorer,               |                         |

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker; and

|                          |                         |
|--------------------------|-------------------------|
| <b>Messrs. Anderson,</b> | <b>Messrs. Kershaw,</b> |
| Beaty,                   | King,                   |
| Blum,                    | Lamneau,                |
| Boykin,                  | Lesesne,                |
| R. E. Campbell,          | McBee,                  |
| Carwile,                 | McCrary,                |
| Cauthen,                 | Manigault,              |
| Christie,                | Mitchell,               |
| Cooner,                  | Mobley,                 |
| Cruikshank,              | B. F. Perry,            |
| Cureton,                 | Pitts,                  |
| Elliott,                 | Poppenheim,             |
| Fox,                     | Porcher,                |
| Gourdin,                 | Reynolds,               |
| Hammond,                 | Rice,                   |
| Hampton,                 | Seigling,               |
| Harrison,                | Sinkler,                |
| Haskell,                 | Springs,                |

Messrs. Sullivan,  
Torre,  
Trenholm,

Messrs. Wagner,  
Williams, and  
Winsmith.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

*Ordered*, That it be sent to the Senate.

The Senate returned to this House the following Acts ; which were committed to the Committee on Engrossed Acts :

An Act to vest in William H. Trapp the exclusive right to navigate Little River ;

An Act to incorporate the Carolina Mutual Insurance Company of Charleston ;

An Act to appropriate the sum of \$3,500 for the erection of a suitable building for the education of the Deaf and Dumb of this State, at Cedar Springs, Spartanburg District ;

An Act to exempt Robert Hopton, a free person of color, from capitation tax ;

An Act to release from pledge the Rail Road shares belonging to the State ;

An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted ; and,

An Act to authorize the State to aid in the construction of the North Eastern Rail Road.

The Senate sent to this House for concurrence,

Report of the Committee on Roads and Public Buildings, on the petition of James Bonds, Sheriff of Newberry District ;

Report of the same Committee on the petition of E. P. Lake, Ordinary of Newberry ;

Report of the same Committee, on the petition of Burr J. Ramage, Clerk of the Court of Newberry ;

Report of the same Committee, on the petition of L. J. Jones, Commissioner in Equity for Newberry ;

Report of the same Committee, on the presentment of the Grand Jury, and the petition of the Commissioners of Public Buildings of Newberry ; and,

Resolutions directing the Commissioners of Public Buildings for Richland to give a portion of the Court House lot for a Banking House, to the Bank of the State of South Carolina ; and,

A Resolution providing for requiring plans and estimates, whenever ap-

plications are made for appropriations for Court Houses and Jails; which were severally referred to the Committee on Public Buildings.

Also the report of the Committee on the Judiciary on the communication of J. S. G. Richardson, State Reporter; which was referred to the Committee on the Judiciary.

Reports of the Committee on Privileges and Elections, on a petition to abolish Sterrett's Swamp poll as a place of Election in All Saints Parish, which was referred to the Committee on Privileges and Elections.

Report of the Special Committee appointed to examine the contingent accounts of his Excellency, the Governor; which was referred to the Special Committee of this House on that subject; and

Resolutions of inquiry as to certain transactions of the Bank of the State; which was referred to the Committee on Ways and Means.

On motion of Mr. OWENS, the motion to suspend the 52d Rule of this House, introduced yesterday by Mr. HAMPTON, was taken up and the resolution with the amendments thereto adopted.

Mr. SLOAN, from the Committee on Privileges and Elections, made a report on sundry petitions for the appointment of Magistrate; which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements made a report on the report of the Committee of the Senate, on the report of the President of the Cheraw and Anson Plank Road Company; which was ordered for consideration to-morrow.

Mr. McKNIGHT, from the Committee on Public Buildings, made a report on the report of the Senate's Committee, on the petition of the Commissioners of Public Buildings for Marion; which was ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on the Lunatic Asylum, made a report on the report of the Senate's Committee, on the report of the Regents of the Asylum, and so much of the Governor's Message as relates thereto; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made a report on the report of the Senate's Committee, on the presentment of the Grand Jury of Charleston; and

On the report of the Senate's Committee, on the presentment of the Grand Jury of Abbeville; which were severally ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, made a report on a

resolution from the Senate, as to printing done under the direction of the Presiding Judge; and

Mr. ASHMORE, from the Committee on Claims, on the account of H. J. Dean; which were severally ordered to be considered immediately, were agreed to, and were ordered to be sent to the Senate for concurrence.

Mr. CLAWSON submitted the following resolutions, which were ordered for consideration immediately, were agreed to, and were ordered to be sent to the Senate for concurrence.

*Resolved*, That the Comptroller General be and he is hereby directed to restate the amount due the Catawba Indians by the State, under the treaty of 1840, and in restating said account that he charge the State with an annuity of \$1,500 per year for the term of nine years, instead of \$2,500 as in his report of 1850, and that said statement in all other respects conform to the Resolutions of 1849 on this subject.

*Resolved, further*, That he report to the next Legislature how long, at the present rate of taxation, until the owner of the Catawba Indian land, situate in York and Lancaster Districts, will have refunded to the State the advances made, or which may hereafter be made in executing the treaty with the said Catawba Indians.

A Bill to alter and amend an Act, entitled an Act to provide for the defence of the State, was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called An Act.

*Ordered*, That it be returned to the Senate.

#### GENERAL ORDERS.

The following Bills were read the second time, and were ordered to be returned to the Senate:

A Bill to alter and amend an Act, entitled an Act to incorporate the North Eastern Rail Road Company;

A Bill to incorporate the Fireman's Insurance Company of Charleston;

A Bill to vest the right which the State may have in certain real estate in Robert Adger, executor of C. B. S. Gulden, the title whereof was changed so as to read, "A Bill to vest the right and title of the State in certain escheated property, in certain persons therein mentioned;"

A Bill to alter the sittings of the Courts of Law in the Northern Circuit;

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right; title and interest of the State of South Carolina, in two lots of land on

Charleston Lines, was called for a second reading, and progress having been made therein,

Under the order of the House, business was suspended at 4 o'clock, was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the chair,

On motion of Mr. J. B. PERRY, leave of absence was granted to Mr. Stokes for the remainder of the Session.

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from the consideration of a resolution of inquiry as to certain transactions of the Bank of the State; which was referred to committee, and a message was sent to the Senate, returning the resolution.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. Rosborough for the remainder of the Session.

Mr. MIDDLETON submitted the following resolution, which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence:

*Resolved*, That the expense incurred by the Clerks of the House and Senate, in procuring maps with the view of re-districting the State into Congressional districts, under the resolution agreed to at the Extra Session, be paid to the said Clerks out of the fund appropriated to pay the contingent expenses of the two Houses.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the report of the Senate's Committee, on the report of J. S. G. Richardson, State Reporter.

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina, in two lots of land on Charleston Lines, was read the second time.

On motion of Mr. BOYLSTON, the title was changed so as to read, A Bill to authorize the conveyance of certain parcels of land in fee simple to Thomas Bennett and to James Fuller, upon certain conditions.

The Bill was then ordered to be returned to the Senate.

Mr. WALKER, from the Committee appointed to count the votes cast for President and Directors of the Bank of the State of South Carolina, reported that, for President, Charles M. Furman had received 168 votes; and that N. B. Hill, W. C. Dukes, R. G. Stone, P. M. Cohen, E. Carson, H. F. Strohecker, J. H. Steinmeyer, G. H. Walter, J. L. Gantt, E. W. Mathewes, George Robertson, and R. Dulin, had received the highest

number of votes cast above the requisite majority ; whereupon the SPEAKER announced that the above named gentlemen are duly elected President and Directors of the Bank of the State of South Carolina.

A Bill to amend an Act, entitled " An Act to provide for the Inspection of Flour," was read the second time, and was ordered to be sent to the Senate.

A Bill to amend an Act, entitled " An Act to amend the law in relation to the Harboring of Deserted Seamen," was read the second time, and was ordered to be sent to the Senate.

On motion of Mr. SULLIVAN, the report of the Committee on Education on the Annual Returns of the Commissioners of Free Schools, for the several Districts, Parishes and Counties of the State.

The following Bills were ordered to *lie on the Table* :

A Bill to vest the right which the State may have in certain Real Estate, in Robert Adger, executor of C. B. S. Gulden ;

A Bill to amend an Act, entitled " An Act to amend the law in relation to the Harboring of Deserted Seamen ;

A Bill to Incorporate the Fireman's Insurance Company of Charleston.

The Senate returned to this House the following Bills ; which were read the third time :

A Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars ;

A Bill to authorize aid in the construction of the Pendleton Rail Road ;

A Bill to Incorporate certain Societies, Associations and Companies ;

A Bill to Incorporate certain Religious and Charitable Societies and Societies for the advancement of Education, and renew the charters of others heretofore granted ;

A Bill to authorize aid in the construction of the Cheraw and Darlington Rail Road ;

A Bill to authorize the Incorporation of the Savannah River Valley Rail Road Company ;

A Bill to alter and arrange the times of the sittings of the Courts for Equity on the Fifth Circuit ;

A Bill to raise supplies for the year commencing one thousand eight hundred and fifty-two.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that, they be called Acts.

*Ordered*, That they be sent to the Senate.

A Bill for the establishment of a general system of registration of births,

marriages and deaths in the State of South Carolina, was called for a second reading ; and,

On motion of Mr. McGOWAN was made the special order of the day, for the first Thursday after the fourth Monday in November next, at 1 o'clock, P. M.

The following message was received from the Senate :

IN THE SENATE, Nov. 15, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate insists upon refusing to grant leave to your House to restore to the Bill, entitled " A Bill to authorize the South Carolina Rail Road Company, to construct a certain bridge over the Congaree River," the following amendment made by your House on the second reading, and stricken out by the Senate on the third reading of the Bill : Section II. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted, ratified on the 17th day of December, in the year of our Lord, 1841. But nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section upon any future grant, renewal, or modification of their charter, and has appointed Messrs. Chesnut and McAlily a committee of free conference on the part of the Senate to confer with the committee appointed by your House, on the subject of the difference between the two Houses.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The report of the Committee on Accounts, on the accounts against the Upper Division of the Treasury, was read, considered, and agreed to, and ordered to be sent to the Senate for concurrence.

On motion of Mr. KERSHAW, the House was adjourned at 12 minutes past 10 o'clock, P. M.



## THURSDAY, DECEMBER 16, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House

A Bill to incorporate the Blue Ridge Rail Road Company, and

A Bill to incorporate the Fireman's Insurance Company of Charleston; which were read the third time.

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be returned to the Senate.

Mr. HAMPTON, from the Committee on Conference, appointed to confer on the difference between the two Houses on a Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree river, made a report, and

The following message was received from the Senate:

IN THE SENATE, December 15, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate insists on refusing to grant leave to your House to restore to the Bill, entitled a Bill to authorize the South Carolina Rail Road Company to construct a certain bridge over Congaree river, the following amendment, made by your House on a second reading, and stricken out by the Senate on the third reading: Section 11. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled an Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporation will hereafter be granted; "ratified on the 17th day of December, A. D. 1841, but that nothing herein contained shall be construed as exempting the said Company from the provisions of the said 41st section for any future grant, renewal, or modification of their charter;" and has appointed Messrs. Chesnut and Dudley a Committee of Conference to meet a similar Committee to be appointed on the part of your House concerning the matters of difference between the Senate and your House.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the following Bills, which were read the third time :

A Bill to amend an Act, entitled an Act to provide for the inspection of flour ;

A Bill to alter the sittings of the Courts of Law on the Northern Circuit ; and

A Bill to alter and amend an Act, entitled an Act to incorporate the North Eastern Rail Road Company.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the Senate.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the report of the President and Directors of the Bank of the State of South Carolina ;

On the petition of stockholders of the Bank of Hamburg, praying a renewal of charter ;

On the report of the State Proxies in South Carolina Rail Road Company ;

On the petition of the Greenville and Columbia Rail Road ;

On the report of the Comptroller General ; which were ordered to be considered immediately, were agreed to, and were ordered to be sent to the Senate for concurrence :

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from the consideration of so much of the Governor's Message, No. 1, as relates to the expenditures of the State Convention ;

Of the report of the Comptroller General on a Resolution of inquiry on the subject of Rail Road stock held by the State.

Of the petition of citizens of Chester, praying the incorporation of a Bank.

Of A Bill from the Senate to establish and incorporate another Bank in the City of Charleston, to be called the People's Bank ; and

On motion of Mr. MIDDLETON, they were ordered *to lie on the Table*.

Mr. SLOAN from the Committee on Privileges and Elections made reports,

On the report of the Senate's Committee on a petition to abolish Sterrett's Swamp poll, which was ordered for consideration immediately, was agreed to, and was ordered to be returned to the Senate.

On the communication of G. A. TRENHOLM, a member of this House; which was ordered to be considered immediately, and was agreed to.

On motion of Mr. TORRE, it was ordered that the Speaker do issue a pay-bill for per diem and mileage to Mr. Trenholm, whose seat has been declared vacant.

Mr. READ, from the Special Committee to examine the report of the Senate's Committee on the contingent accounts of the Governor, made a report; which was ordered to be considered immediately and was agreed to.

Mr. HUNT, from the Committee on the Judiciary, made reports; which were ordered to be considered immediately, and were ordered *to lie on the Table*.

On the resolution concerning the Sheriff's bond of Georgetown.

On so much of the Governor's Message as relates to the Augusta Bridge and the Savannah boundary.

On motion of Mr. HUNT, it was

*Resolved*, That a Committee of three be appointed to take into consideration the mode of proceeding with the unfinished business of this House, and as to the expediency and propriety of continuing the unfinished business of one session into another, from the stage at which it was interrupted at the time of adjournment; whereupon the Speaker appointed Messrs. Hunt, Mitchell and Middleton of the Committee.

Mr. REYNOLDS from the Charleston Delegation, made reports,

On the memorial of citizens of Charleston, for extending the time of office of Mayor and Aldermen of Charleston; and,

On the memorial of sundry citizens of Charleston, for change of time of holding the City Election; which were ordered to be considered immediately, and were ordered *to lie on the Table*.

The Senate returned to this House

An Act to provide for the formation of the Savannah River Valley Rail Road Company,

An Act to alter and arrange the sittings of the Courts of Equity in the fifth Circuit;

An Act to authorize aid in the construction of the Pendleton Rail Road;

An Act to incorporate certain Societies, Associations and Companies, and for the re-charter of others; and

An Act to alter and amend An Act entitled, An Act to provide for the defence of the State; which were committed to the Committee on Engrossed Acts.

Mr. HOPE, from the Committee on Public Buildings, made a report on

reports of the Senate's Committee on Roads and Public Buildings, on the petitions of James Bonds, of E. P. Lake, of Burr J. Ramage, of L. J. Jones ; on the presentment of the Grand Jury, and the Commissioners of Public Buildings of Newberry ; and resolutions from the Senate directing Commissioners of Public Buildings of Richland to give a portion of the Court House lot for a Banking House to the Bank of the State of South Carolina ; and

Providing for the requiring of plans and estimates whenever applications are made for appropriations for Court Houses and Jails ; which was ordered to be considered immediately, was agreed to, and the reports and resolutions were ordered to be returned to the Senate.

On motion of Mr. SEIGLING, it was ordered that the Committee on the State House and Grounds be directed to have the screens between the seats of the members and the passage to the chimneys raised so as to afford comfort and privacy to those members whose seats are located in the neighborhood of the said screens.

Mr. HAMPTON submitted the following preamble and resolutions ; which were ordered to be considered immediately, were agreed to, and a message was accordingly sent to the Senate :

*Whereas*, The sum of five thousand dollars was paid by this State to the town of Columbia, as a purchase for the supply of water to the public buildings of the town, and other buildings which the State might hereafter erect in the said town ; and whereas since the year 1818, when the money was paid, the number of public buildings has so much increased, that the cost of furnishing water requisite for their use is now \$1350 instead of \$350 per annum., the original cost, and as it does not appear just that the town should suffer such loss annually, be it

*Resolved*, That a Committee of three be appointed by this House to take the subject into consideration, and to report at the next Session of the Legislature, and that a message be sent to the Senate, requesting that body to appoint a similar committee to confer with the committee on the part of this House.

Whereupon, the SPEAKER appointed Messrs. Hampton, Boykin and Howell of the Committee.

The Senate sent to this House the following Bills ; which were read the third time :

A Bill to amend an Act, entitled an Act to amend the law in relation to the harboring of deserted seamen ;

A Bill to authorize the conveyance of certain parcels of land, in fee simple, to Thomas Bennett and James Fuller upon certain conditions, and

A Bill to vest the right and title of the State in certain escheated property in certain persons therein mentioned.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the Senate.

The Senate returned to this House an Act to authorize aid in the construction of the Cheraw and Darlington Rail Road, and

An Act to Incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted, and

An Act to raise supplies for the year commencing one thousand eight hundred and fifty-two ; which were committed to the Committee on Engrossed Acts.

The following message was received from the Senate.

IN THE SENATE, Dec. 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate grants leave to your House to have the report of the Committee on Privileges and Elections of your House, on the communication of John C. Allen, a member of the House of Representatives, printed with the Acts, Reports and Resolutions of the General Assembly.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate :

IN THE SENATE, Dec. 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to strike out of the Bill entitled a Bill to raise supplies for the year commencing October, 1852, the words "and except also consigned goods sold and remitted for," in the first section of the Bill which had been stricken out by Senate on second reading, and restored by your House on the third reading.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. MIDDLETON, leave was granted and an answer was returned.

The following message was received from the Senate.

IN THE SENATE, Dec. 15, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in a message from your House, informing Senate of the adoption, by your House, of certain resolutions for the appointment of Committees of Inspection for the Bank of the State and its Branches, and Senate has appointed the following Committees to act with the Committees appointed by your House :—for the principal Bank, in Charleston, Messrs. Carew and Gist; for the Branch Bank, at Columbia, Messrs. McAlilley and Boozer; for the Branch Bank, at Camden, Messrs. Chestnut and Harllee.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. LANNEAU, from the Committee on Vacant Offices, made a report, which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

The Senate sent to this House, resolutions concerning the Boundary Line between Georgia and South Carolina; which was referred to the Committee on Federal Relations.

Resolution concerning the appointment of proxies to represent the shares of the State in various Rail Roads; which was referred to the Committee of Ways and Means; and,

The petition of John W. Hodge and of John Gibbes; which were referred to the Committee on Internal Improvements.

The following message was received from the Senate:

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

The Senate asks leave of your House to strike out of the Bill, entitled A Bill to establish certain Roads, Bridges and Ferries, and to amend the law in relation to Commissioners of Roads, in certain particulars, the 20th section, which gives a charter of the Bridge over the Savannah River, to the City Council of Augusta; which section was stricken out by Senate on the second reading, and restored by your House on the third reading of the Bill.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. OWENS, the House refused to grant leave, and an answer was returned.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate insists on asking leave of your House to strike out of the Bill, entitled A Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars, 20th section, which gives a charter of a Bridge over the Savannah River, to the City Council of Augusta, and which section was stricken out by the Senate on the second reading, and restored by your House on the third reading of the Bill, and has appointed Messrs. Mazyck and Adams a Committee of Free Conference, and respectfully asks your House to appoint a similar Committee, to confer with Senate's Committee on this subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House insisted on refusing to grant leave to the Senate, and concurred in so much of the message as relates to the appointment of the Committee of Conference: Whereupon, the SPEAKER appointed Messrs. Cauthen, Middleton and Moorcr, of the Committee.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

The following reports were considered, and agreed to :

Reports of the Committee on Education,

On the memorial of the citizens of Walterboro', praying the appointment of Trustees for Walterboro' Academy ;

On the petition of citizens of Greenville, in reference to a Poll Tax for Free Schools.

Report of the Committee of Ways and Means,

On the petition of J. D. Aiken, Attorney of Robert Martin;

Reports of the Committee on Claims,

On the account of Dr. H. Dubose;

On the account of Dr. J. Ford Prioleau;

On the account of Dr. Peter Porcher ; and

On the account of Dr. R. A. Kinloch.

The following Reports were considered and agreed to, and were sent to the Senate for concurrence :

Report of the Committee of Ways and Means on the petition of Jephtha Dyson,

Report of the Committee on Public Buildings,

On the presentment of the Grand Jury ; and on the

Petition of the Commissioners of Public Buildings for Newberry, for a New Jail.

Report of the Medical Committee on the account of Dr. J. R. McQueen.

Reports of the Committee on Claims,

On the account of Doctor W. S. Burgess ;

On the account of Stephen Jackson ;

On the account of A. Palmer ;

On the account of James Adams ;

On the account of P. M. Johnson ;

On the account of the Administrator of A. S. Johnston ; and

On the account of Dr. J. P. Chazal.

The following reports were considered and agreed to, and were ordered to be returned to the Senate :

Report of the Committee on Pensions on the report of the Senate's Committee on the petition of Delilah Williams.

Reports of the Committee on Legislative Library,

On the Senate's Resolution for the additional distribution of the first volume of Mr. Calhoun's Works ;

On the Senate's Resolution providing that the Governor apply the unexpended balance of the appropriation for the publishing of Mr. Calhoun's Works, to the publication of his Life and Speeches.

Reports of the Medical Committee on the reports of the Senate's Committee on the account of Dr. George Pelzer, and,

On the account of Dr. J. N. Carr.

The following report was ordered to *lie on the Table* :

Report of the Committee on Education on the petition of S. A. Towns.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Accounts of your House, on the report of the Comptroller General on the contingent accounts against the Upper Division, by adding the



following account for Newberry District: Daniel Wicker, Constable, account \$25 40; not allowed, \$2 37; allowed, \$23 03.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

A Resolution in reference to a subscription on the part of the State to the publication of Lives and Sketches of eminent South Carolinians, was submitted by Mr. B. F. PERRY; was considered, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas 10—Nays 53.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Ashmore,  
Duncan,  
McBee,  
McGowan,  
Middleton,

Messrs. B. F. Perry,  
Read,  
Traudewell, and  
Winsmith,

Those who voted in the negative, are

Messrs. Alexander,  
Anderson,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Christie,  
Clawson,  
Cooner,  
Crosson,  
Cruikshank,  
Cureton,  
Elliott,

Messrs. Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hammond,  
Hampton,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Howell,  
Hunt,  
Hutson,  
J. I. Ingram,  
Keitt,  
McCrary,  
Manigault,  
Maybin,

Messrs. Melton,  
Mobley,  
Moorer,  
Murray,  
O'Bryan,  
Patterson,  
Pickens,  
Pitts,  
Porcher,

Messrs. Reynolds,  
Rice,  
Sullivan,  
Trotti,  
Vance,  
Wagner,  
Wallace, and  
Witherspoon.

Mr. HUTSON, from the Committee on Privileges and Elections, made a report on the Senate's resolution requiring the Secretary of State to forward writs of Election for members of Congress; and

Mr. VANCE, from the Committee on Internal Improvements, made reports on the reports of the Senate's Committee on the petition of J. W. Hodge and John Gibbs; which were severally ordered to be considered immediately, were concurred in, and were ordered to be returned to the Senate.

Mr. CAUTHEN, from the Committee of Conference, in the matter of the City Council of Augusta and the Bridge over the Savannah River, reported that the Committee had failed to come to any agreement; and

On motion of Mr. WINSMITH, the House refused to agree to the report of the Committee of Conference, and the following Message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate insists on asking leave of your House to strike out of the Bill, entitled a Bill to establish certain Roads, Bridges and Ferries, and to amend the Law respecting the Commissioners of Roads in certain particulars, the 20th section, which gives a charter of the Bridge over the Savannah River to the City Council of Augusta, and which section was stricken out by the Senate on the second reading by your House on the third reading of the Bill; and has appointed Messrs. Griffin and Hasell a Committee of free conference, and respectfully ask your House to appoint a similar Committee to confer with Committee of Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. WINSMITH, the House insisted on refusing to grant leave to the Senate, but concurred in so much of the Message as relates to

the appointment of a Committee of Conference; whereupon the Speaker appointed Messrs. Winsmith, B. F. Perry and J. B. Campbell of the Committee.

A Bill to establish the line of the channel of Ashley River, adjacent to the City of Charleston, was taken up, and on motion of Mr. REYNOLDS, was re-committed to the Charleston Delegation.

Mr. MANIGAULT, from the Committee on Federal Relations, made a report on the resolutions of the Senate in relation to the Savannah River boundary; which was made the special order for the first Tuesday after the first Monday in December next, at one o'clock P. M.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On so much of Message No. 1 of the Governor as relates to the expenditures of the State Convention;

On the petition of sundry citizens of Chester, praying the incorporation of a Bank in the Town of Chester; and

On a resolution from the Senate to appoint proxies to represent stock of the State in Rail Roads; and

On the petition of the Stockholders of the Bank of Hamburg; and

On the Report of the Greenville and Columbia Rail Road Company.

Mr. HUNT, from the Committee on the Judiciary, made reports on a resolution concerning the Sheriff's bond in Georgetown, and on so much of the Governor's Message as relates to the Augusta Bridge; and

Mr. READ, from the Special Joint Committee, appointed to examine the Governor's contingent accounts, made a report; which said reports were severally ordered to be considered immediately, and were agreed to.

The Senate sent to this House the account of A. C. Squier, which by unanimous consent was considered immediately, was concurred in, and was ordered to be returned to the Senate.

Mr. READ submitted the following resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That it is the sense of this House, that in granting mileage and per diem to the Committees appointed to investigate the condition of the Bank of the State and its Branches, such mileage and per diem is to be allowed to such members only as are non-residents of the city or town in which the Bank is situated, or do not live within seven miles of the said city or town.

Mr. WINSMITH, from the Committee of Conference on the subject of the City Council of Augusta and the bridge over the Savannah river, report-

ed that the Committee of Conference had failed to come to any agreement.

On motion of Mr. MIDDLETON, the report was ordered *to lie on the Table*, and a message was sent to the Senate granting leave to that body to make the amendment proposed.

The House then resumed the consideration of the

### GENERAL ORDERS.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the accounts of James U. Adams ;

On the account of T. W. Glover ;

On the account of Dr. J. H. Poozer ;

On the account of John Gibbs ;

On the account of R. S. Bailey ;

On the account of Dr. J. R. Barnett ;

The report of the Abbeville Delegation

On the report of the Trustees of the estate of Dr. John De La Howe.

Reports of the Committee on Public Buildings

On the petition of the Commissioners of Public Buildings for Marion ;

On the memorial of the Commissioners of Public Buildings for Georgetown, and

The report of the Committee on Education

On the Treasurer's report of South Carolina College.

The following reports were considered and agreed to, and ordered to be returned to the Senate :

Reports of the Committee on Claims

On the reports of the Senate's Committee on the account of the Winyaw Observer, and

On the memorial of Thomas Frean.

Report of the Committee on Education

On the report of the Senate's Committee on the Ludlum School Fund.

The Report of the Committee on State House and Grounds

On the Keeper's House.

The following Reports were considered and agreed to :

Report of the Committee of Ways and Means

On the Memorial of citizens of Charleston, praying for the charter of the Peoples' Bank.

Reports of the Committee on District Offices and Officers

On the petition of citizens of Darlington praying an additional magistrate.

Reports of the Committee on Claims,

On the accounts of James Bond, of S. P. Kinard and of H. R. Spann.

Report of the Committee on the Judiciary,

On the petition of J. W. Burbridge and Fanny Burdeshaw. Mr. HEARST obtaining leave to withdraw the same.

The Report of the Committee on Pensions,

On the petition of Ellen Servis. Mr. MELTON obtaining leave to withdraw the same, and

The report of the Committee on the Military on the account of Polk Robinson.

Resolutions instructing the Governor to appoint Commissioners upon our Criminal Code and Prisons, were considered and agreed to, and were ordered to be sent to the Senate for concurrence.

The following reports and resolutions were ordered *lie on the Table* :

Resolutions directing the publication of Evans' Digest of the Road Law ;

Resolutions authorizing the Judges to print at the expense of the State, certain description of papers ;

Report of the Committee on Roads, Bridges and Ferries ;

On the memorial of James Jones and J. J. Kennedy ;

Report of the Committee on Education on the report of the Vestry of St. James' Goose Creek Church, on the Ludlam School Fund ;

Report of the Committee on Public Buildings on the petition of citizens of York, asking leave to sell the Jail and Jail lot ; and the

Report of the Committee on the Military on the series of resolutions on the State Military Academy.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Vacant Offices of your House, by adding the following, viz : Commissioners of Roads, Chester District, John W. Wilkes, Jr., vice Richard Woods, resigned ; William Pinchback, vice M. S. Harlin, resigned.

Commissioners of Free Schools, Darlington District, William E. James, vice William Law. Marshall for Georgetown, James Potter.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Leave was granted, and an answer was returned.

The Senate returned to this House an Act to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads, in certain particulars; which was committed to the Committee on Engrossed Acts.

The following message was received from the Senate:

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the message from your House informing Senate of the adoption by your House of certain resolutions for the appointment of a Committee to consider and report to the next Legislature, upon the subject of the supply of water, by the Town Council of Columbia, to the Public Buildings, and has appointed Messrs. Moses, Townsend and Buchanan, a special Committee to act with the Committee of your House on that subject.

By order of the Senate,

R. F. W. ALLSTON, President.

The Senate returned to this House, with their concurrence,

The reports of the Committee on Claims,

On the petition of J. R. Poole;

On the account of J. Ford Prioleau;

On the report of the Committee on Claims, on the petition of F. N. Garvin;

On the account of W. J. Francis;

On the account of Dr. A. Malloy;

On the account of Dr. C. J. Flinn;

On the report of the Comptroller General, on the account of Wm. Blackledge.

On the account of the Palmetto State Banner;

On the account of T. J. Warren;

On the account of T. J. Eccles;

On the account of S. J. Rice;

On the account of Bryan & McCarter;

On the account of James Powell;

On the account of W. F. Durisoe ;

On the account of H. J. Dean ;

On the account of B. Perry ; and,

On the account of Johnston & Cavis.

On the reports of the Committee on Public Buildings ;

On the presentment of the Grand Jury and the petition of the Commissioners of Public Buildings for Newberry, for a new Jail.

On the presentment of the Grand Jury of Orangeburg, recommending the enlargement of the Court House.

On the petition of the Commissioners of Public Buildings for Chester, praying an appropriation to complete the purchase of a lot.

On the presentment of the Grand Jury and the memorial of the Commissioners of Public Buildings for Abbeville District.

On the memorial of the Commissioners of Public Buildings for Anderson District.

On the petition of the Commissioners of Public Buildings for Edgefield District.

On the petition of the Commissioners of Public Buildings for Richland District.

Reports of the Committee on State House and Grounds on the reports of the Commissioners on State House and Grounds.

On the Resolution of Enquiry into the expediency of lighting the State House and Grounds with gas.

Report of the Medical Committee on the account of Dr. A. B. Crook.

Report of the Committee on the Judiciary on the petition of Michael Lorick.

Report of the Committee on the Military, on the petition of the Washington Light Infantry ; and,

Resolutions, requiring the returns of Commissioners of Free Schools to be made conformable to law ; and,

To provide for the payment of maps furnished by the Clerks of the Senate and House of Representatives.

The House then resumed the consideration of the

#### GENERAL ORDERS.

The following reports were considered, and agreed to, and were ordered to be sent to the Senate :

Report of the Committee on the Military on the petition of George H. Walter and W. G .e.

Report of the Committee on the Judiciary on the petition of Annette Elliott and others.

Report of the Committee on Education on the report of the Commissioners of Deaf and Dumb.

Report of the Committee on Privileges and Elections on the petition of citizens of York, praying a change in the day of elections.

Report of the Committee on Claims on the account of the Clerk of the Senate; and

Report of the Committee on Internal Improvements on the report of the President of the Cheraw and Anson Plank Road Company.

The report of the Committee on the Judiciary on the reports of the Senate's Committee on the communication of J. S. G. Richardson, State Reporter, was considered and agreed to, and was ordered to be returned to the Senate.

The following reports were considered, and agreed to :

Report of the Committee on Incorporations on the petition of S. T. Gaillard and others.

Report of the Committee of Ways and Means on the report of the President of the Wilmington and Manchester Rail Road Company.

Reports of the Committee on Education on [the petition of Daniel Mahony; which Mr. CARWILE obtained leave to withdraw.

Report of the same Committee on petition of Commissioners of Free Schools of Columbia.

On the reports of the Senate's Committee on the presentments of the Grand Juries of Abbeville and Charleston.

Report of the Committee on Privileges and Elections on the presentment of the Grand Jury of Colleton.

Report of the Committee on the Lunatic Asylum on the report of the Senate's Committee on the report of the Regents.

The report of the Committee on Public Buildings on the report of the Senate's Committee on the petition of Commissioners of Public Buildings of Marion.

The following reports were ordered *to lie on the Table* :

Report of the Committee of Ways and Means on the report of the Cheraw and Anson Plank Road Company.

Reports of the Committee on the Judiciary on Fifth Richardson's Law, and Third Richardson's Equity Reports; and on the petition of sundry citizens of York, praying the Repeal of the Homestead Law.

Under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.



## RECESS.

When the SPEAKER resumed the Chair,

On motion of Mr. FLAGG, a Message was sent to the Senate, requesting leave to amend the report of the Committee on Vacant Offices, by inserting the names of Peter Vaught, Sr., W. K. Cuckon, and U. A. Delettre, as Commissioners of Free Schools for All Saints' Parish.

Mr. J. B. PERRY, from the Committee on Engrossed Acts, reported the following Acts as ready for ratification :

## ACTS ORIGINATING IN THE HOUSE.

An Act to open and extend Pitt street in the town of Mount Pleasant to Hibben street ;

A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend the boundaries to its present Judicial limits ;

An Act in relation to the execution of slaves and free persons of color ;

An Act to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature ;

An Act to arrange this State into districts for the Election of Representatives in the Congress of the United States, and for other purposes ;

An Act to incorporate the village of Cokesbury ;

An Act to prevent obstructions to the passage of fish up Lynch's Creek ;

An Act to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment of Infantry ;

An Act to exempt the surviving officers and members of the Palmetto Regiment from ordinary Militia duty ;

An Act to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions in said streets ;

An Act to charter the Lancaster Rail Road Company ;

A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election districts ;

An Act to alter and amend the law in relation to the education of the Deaf and Dumb of this State ;

An Act to incorporate the Beaufort and Columbia Loan and Building Association ;

An Act to amend an Act entitled An Act to incorporate the Commercial Insurance Company ;

An Act to vest the right, title and interest of the State in the proceeds of

the sale of the personal Estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald McDonald.

An Act to incorporate the Beaufort Female Seminary;

An Act to alter and amend an Act, entitled An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road;

An Act to extend the charter of the Bank of the State of South Carolina;

An Act to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of, and administer, Derelict Estates;

An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted;

An Act to incorporate the Carolina Mutual Insurance Company of Charleston;

An Act to authorize the State to aid in the construction of the North Eastern Rail Road;

An Act to make appropriations for the year commencing in October, in the year one thousand eight hundred and fifty-two;

An Act to appropriate the sum of \$3,500 for the erection of a suitable building for the education of the Deaf and Dumb of this State, at Cedar Springs in Spartanburg District.

An Act to exempt Robert Hopton, a free person of color, from capitation tax;

An Act to vest in William H. Trapp the exclusive right to navigate Little River;

An Act to release from pledge railway shares belonging to the State;

An Act to incorporate certain Societies, Associations and Companies, and for the re-charter of others;

An Act to incorporate certain religious and charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted;

An Act to amend the charter of the Wilmington and Manchester Rail Road Company;

An Act to alter and arrange the times of the sitting of the Courts of Equity in the Fifth Circuit;

An Act to alter and amend an Act, entitled An Act to provide for the defence of the State;

An Act to authorize the formation of the Savannah River Valley Rail Road Company;

An Act to raise supplies for the year commencing one thousand eight hundred and fifty-two;

An Act to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads, in certain particulars ;

An Act to authorize aid in the construction of the Cheraw & Darlington Rail Road.

#### ACTS ORIGINATING IN THE SENATE.

An Act to incorporate the Columbia Gas Light Company ;

An Act to incorporate the Johnson Female University ;

An Act to incorporate the Town of Bluffton ;

An Act to change the day of the election of, and term of office, of Mayor of the City of Charleston, and for other purposes ;

An Act to re-charter the Planters' and Mechanics' Bank of South Carolina ; the Union Bank of South Carolina ; the Commercial Bank of Columbia, South Carolina ; and to incorporate the Exchange Bank of Columbia ; the Farmers' and Exchange Bank and the People's Bank of Charleston ; the Bank of Newberry ; the Bank of Chester ; the Bank of Sumterville ; the Planters' Bank of Fairfield ; and the Western Bank of South Carolina, at Anderson ;

An Act to authorize the State to aid in the construction of the Pendleton Rail Road ;

An Act to incorporate the Fireman's Insurance Company of Charleston ;

An Act to amend an Act, entitled An Act to amend the law in relation to the harboring of deserted seamen ;

An Act to alter and amend an Act, entitled An Act to incorporate the North Eastern Rail Road Company ;

An Act to amend an Act, entitled An Act to provide for the inspection of flour ;

An Act to vest the right and title of the State in and to certain escheated property, in certain persons therein mentioned ;

An Act to authorize the South Carolina Rail Road Company to construct a certain bridge over the Congaree River ;

An Act to alter the sittings of the Courts of Law in the Northern Circuit ;

An Act to authorize the conveyance of certain parcels of land in fee simple to Thomas Bennett and James Fuller, upon certain conditions ;

An Act to incorporate the Blue Ridge Rail Road Company in South Carolina ;

The following message was received from the Senate :

IN THE SENATE, Dec. 16, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate grants leave to your House to amend the Report of the Committee on Vacant Offices, by inserting the names of Peter Vaught, Sen., W. K. Cuckon, and U. A. Delettre as Commissioners of Free Schools for All Saints Parish.

By order or the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. MANIGAULT, the House reconsidered the vote making the Report of the Committee on Federal Relations on certain resolutions of the Senate, in relation to the Savannah boundary and the controversy thereon, and the report was ordered to be considered immediately, was agreed to and was ordered to be returned to the Senate.

The Senate sent to this House the report of the Committee on College, Education and Religion, on the annual returns of Free Schools ; which was referred to the Committee on Education.

The Senate sent to this House the following reports, which, by unanimous consent, were ordered to be considered immediately, were agreed to, and were ordered to be returned to the Senate.

Report of the Committee on Claims and Grievances, on the account of Benjamin Hart.

Report of the Committee on the Library, on a resolution concerning Tuomey's Geology.

Report of the Committee on the Judiciary on a resolution of inquiry as to the expediency of purchasing copies of Walker's Theory of the Common Law.

The Senate informed the House, by their Clerk, that they would be ready to proceed to the ratification of the Acts passed at the present Session of the General Assembly, at half-past 6 o'clock, P. M., and invited the House to attend in the Senate Chamber at that hour.

The House then attended in the Senate Chamber, when the Acts passed at the present Session of the General Assembly were duly ratified, and

Two Bills to alter the Constitution of this State were duly certified.

When the SPEAKER resumed the chair,

The Committee on Education, to whom was referred the report of the Senates Committee on the annual returns of Free Schools, made a report

which was ordered to be considered immediately, and was agreed to, and the report of the Senate's Committee was ordered *to lie on the Table*.

The Senate returned with their concurrence,

The report of the Committee on Accounts on the contingent accounts against the Treasury of the Upper Division.

Reports of the Committee on Claims,

On the account of R. S. Bailey ;

On the account of John Gibbs ;

On the account of Dr. J. H. Pooser ;

On the report of the Comptroller General on the accounts of J. U. Adams ;

On the account of Dr. W. S. Burgess ;

On the account of A. Palmer ;

On the accounts of P. M. Johnson ;

On the accounts of T. W. Glover, Clerk, House of Representatives ;

On the account of Dr. J. P. Chazal ;

On the account of James Adams ;

On the account of Administrator of A. S. Johnston ;

On the account of Stephen Jackson.

Reports of the Committee of Ways and Means,

On the report of the Comptroller General ;

On the report of the State Proxies in the South Carolina Rail Road Company, and South Western Rail Road Bank ;

On the report of the President and Directors of the Bank of the State of South Carolina.

Reports of the Committee on Education,

On the report of the Commissioners of Deaf and Dumb ; and

On the report of the Treasurer of the South Carolina College.

Report of the Abbeville Delegation on the Annual Report of the Trustees of the estate of Dr. John D. La Howe.

Report of the Medical Committee on the account of Dr. J. R. McQueen.

Report of the Committee on Public Buildings on the petition of the Commissioners of Public Buildings for Marion District.

Report of the Committee on the State House and Grounds on the Keeper's House.

Report of the Committee on Internal Improvements on various memorials, asking a disposition of the Public Works ; and

Report of the Special Committee to examine the contingent accounts of

his Excellency, the Governor, and resolutions of enquiry directed to the Comptroller General.

On motion of Mr. MIDDLETON, the report of the Senate Committee on College Education and Religion, on the Annual Returns of Free Schools, was *taken up*, considered, agreed to, and was ordered to be returned to the Senate.

The following Message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Privileges and Elections, on sundry petitions for Managers, by inserting the following, viz. :—Chester District, at McAliley's Mill, Thos. DeGraffenreid, Andrew Crosby and William Colvin, *vice* Coleman Cosby, Thomas R. Colvin and Anderson Mayr, resigned.

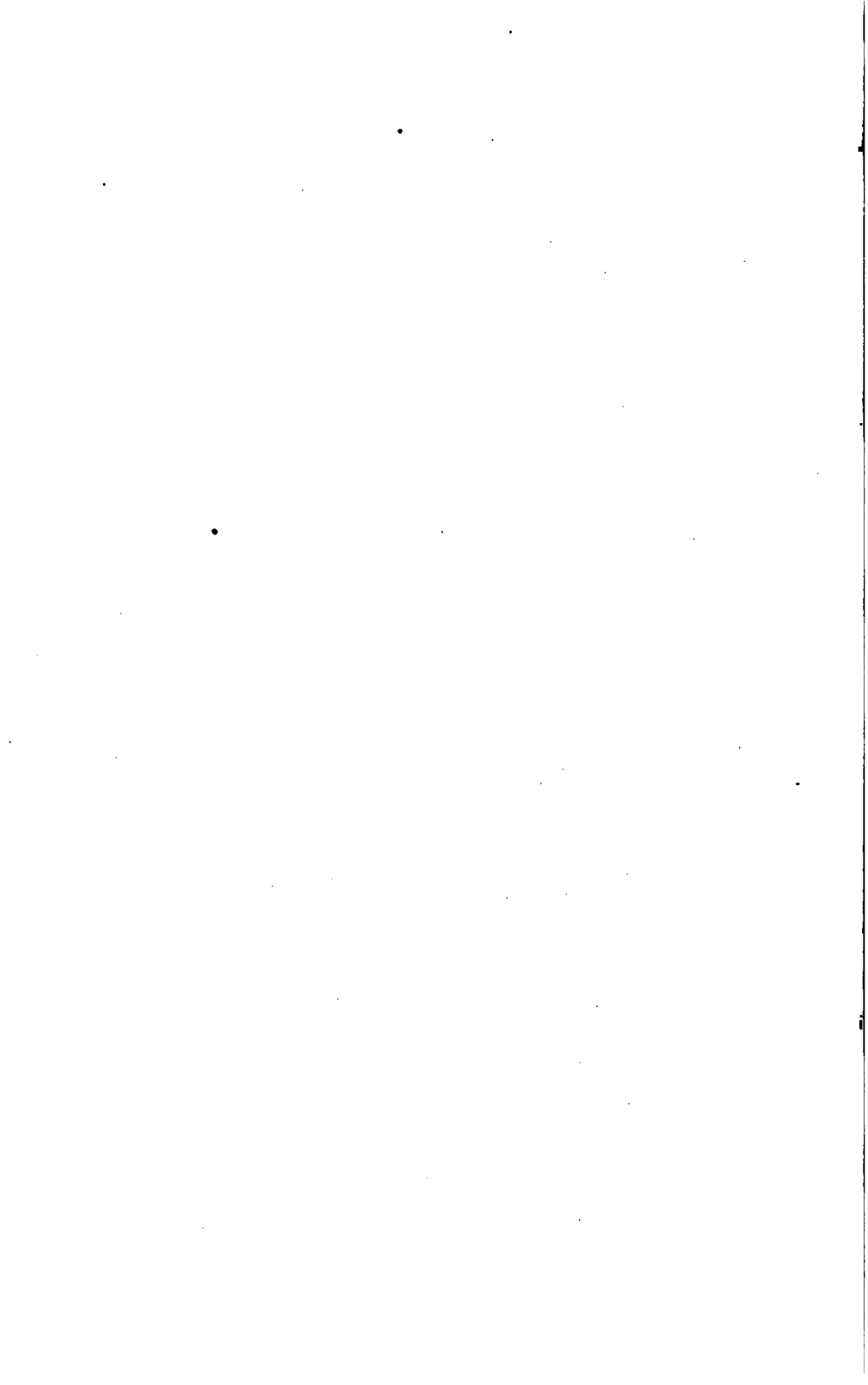
By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate sent to this House, for concurrence, the report of the Joint Committee on Accounts, on the accounts of the Lower Division of the Treasury; which was read, concurred in, and was ordered to be returned to the Senate.

The Senate and House of Representatives were informed by the Clerks of each, respectively, that the Legislative business was finished, and that they were now ready to adjourn the present session of this General Assembly.

At 9 o'clock, P. M., the SPEAKER adjourned the House of Representatives, agreeably to the joint Resolution of the General Assembly, *sine die*.



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| Bossard, Dr. John J., account of.....                              | 13, 50, 84, 192         |
| Bouknight, William, petition of.....                               | 66                      |
| Bowman, Elizabeth, petition concerning property of. See Burbridge. |                         |
| Branch, Sarah, petition of.....                                    | 36, 69, 145, 191        |
| Britton & Mickle, account of.....                                  | 7, 39, 84, 114          |
| Bryan & McCarter, account of.....                                  | 99, 107, 160, 283       |
| Burbridge, John W., petition of.....                               | 37, 211, 282            |
| See House Bill, No. 43.  |                         |
| Burdishaw, Fanny, petition of.....                                 | 151, 211, 282           |
| Burgess, Dr. W. S., account of.....                                | 151, 169, 277, 290      |

BILLS OF THE HOUSE.

| TITLE.   | Notice of..... | 1st Reading..... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings..... | Referred ..... |
|--|----------------|------------------|-----------------|-----------------|-----------------------------|----------------|
| 1. A Bill prescribing the manner in which the Electors of President and Vice President of the United States shall hereafter be elected in South Carolina,.....                                 | 5              | 32               |                 |                 | { 76 77 110<br>113 154 159  |                |
| 2. To establish a Bank in the town of Newberry,.....   | 6              | 82               |                 |                 | 152                         |                |
| 3. To afford aid in constructing the North Eastern Rail Road,.....   | 6              | 42               | 232             | 260             | { 116 232 264<br>287        | 289            |
| 4. Providing compensation for Managers of Election,.....   | 6              | 33               | 93              |                 | 53 93 95                    |                |
| 5. To restore the law authorizing the appointment of Sutlers at muster grounds, on certain conditions,.....  | 6              | 33               | 148             |                 | 80 147 148                  |                |
| 6. To alter and amend the law in relation to the education of the Deaf and Dumb of this State,.....  | 6              | 33               | 177             | 209             | 82 224 286                  | 289            |
| 7. To enable planters and farmers to prove accounts made by them in the sale of their own produce,.....  | 6              | 33               |                 |                 | 55 95                       |                |
| 8. To alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits,..... | 6              | 42               | 91              | 173             | { 51 73 166<br>285          | 289            |
| 9. To incorporate the Exchange Bank in the town of Columbia,.....  | 6              | 42               |                 |                 | 152                         |                |
| 10. To declare and amend the law in relation to words of limitation in deeds and wills,.....   | 6              | 32               |                 |                 | 107 197                     |                |
| 11. To alter and arrange the times of the sitting of the Courts of Equity in the Fifth Circuit,.....   | 6              | 43               | 240             | 268             | 123 272 287                 | 289            |
| 12. To provide for despatch of business in cases of appeal from the Circuit Courts,.....   | 7              |                  |                 |                 |                             |                |
| 13. To prescribe the mode of carrying appeals from the Circuit Courts of laws and bills of exceptions,.....  | 7              | 88               |                 |                 | 122                         |                |

\*The titles of Bills marked with an \* were changed either by the members introducing them, or by the House or the Senate.

## BILLS OF THE HOUSE.

| TITLE.   | Notice of----- | 1st Reading----- | 2d Reading----- | 3d Reading----- | Other proceed-ings-----                 | Referred----- |
|--|----------------|------------------|-----------------|-----------------|---|---------------|
| 14. *To fix the term of office or all persons officially entitled to receive the money of citizens, and to secure more perfectly money in the hands of public officers,----- | 7              | 33 62            |                 |                 | 122 153                                 |               |
| 15. *Relative to the more perfect administration of estates of intestates and derelict estates,-----   | 7              | 33               | 191             | 226             | { 107 225 226<br>241 242 250 289<br>287 |               |
| 16. To regulate the practice in the Court of Equity,-----  | 7              |                  |                 |                 |   |               |
| 17. *To simplify the practice and expedite the final disposition of cases in the Courts of Law,-----   | 7              | 88               |                 |                 | 107                                     |               |
| 18. To alter and amend the 10th section of the 1st article of the Constitution, so as to change the time of the meeting of the General Assembly every fourth year,-----      | 32             | 40               |                 |                 | { 76 77 110<br>113 154 159              |               |
| 19. To authorize the State to grant additional aid in the construction of the Spartanburgh & Union R. Road,-----   | 32             | 41               |                 |                 | 107 190                                 |               |
| 20. To alter and amend the law in relation to the jurisdiction of Magistrates in certain cases,-----   | 32             | 41               |                 |                 | 153                                     |               |
| 21. To define the principles on which Joint Stock Banks shall be incorporated,-----  | 32             | 59               |                 |                 | 141                                     |               |
| 22. To abolish the laws against usury,-----  | 33             | 41               |                 |                 | 123                                     |               |
| 23. To provide for the revision and codification of the Statute Laws of this State,-----   | 33             | 42               |                 |                 | 153                                     |               |
| 24. To repeal an Act, entitled "An Act to increase the amount of property exempt from levy and sale,-----  | 33             | 42               |                 |                 | 153                                     |               |
| 25. To incorporate the Fireman's Insurance Company of Charleston,-----   | 33             | 61               |                 |                 | 118 263                                 |               |
| 26. To regulate the future issuing of grants of land,-----   |                | 33 174           |                 |                 | 81                                      |               |
| 27. To secure planters and factors from frauds under pretence of cash sales of produce,-----   |                | 33 190           |                 |                 | 107                                     |               |

BILLS OF THE HOUSE.

| TITLE.   | Notice of..... | 1st Reading---- | 2d Reading---- | 3d Reading---- | Other proceed-<br>ings..... | Passed..... |
|--|----------------|-----------------|----------------|----------------|-----------------------------|-------------|
| 28. To alter and amend 13th section, 2d article of the Constitution, so as to make it obligatory on the Governor to convene the General Assembly on the day designated by Congress for the election of Electors of President and Vice President of the United States,..... | 41             | 60              |                |                | { 76 77 110<br>113 154 159  |             |
| 29. To divide Pendleton District, and to give to Anderson and Pickens each a Senator :.....  | 41             |                 |                |                |                             |             |
| 30. To abolish the office of Major of Ordnance,.....   | 41             |                 |                |                |                             |             |
| 31 *To charter the Lancaster Rail Road Company, and for other purposes,.....   | 41             | 69              | 146            | 194            | 79 208 286                  | 289         |
| 32. To alter and amend the Free School Laws of this State,.....  | 41             | 73              |                |                | 109 230                     |             |
| 33. Further to amend the law in relation to Sheriffs,.....   | 42             | 61              |                |                | 122                         |             |
| 34. To provide for the appointment of Electors of President and Vice President of United States by this State,.....  | 42             | 60              |                |                | { 76 77 110<br>113 154 159  |             |
| 35 To amend the charter of the Wilmington and Manchester Rail Road Company, .....  | 42             | 88              | 229            | 262            | { 107 228 229<br>262 287    | 289         |
| 36 To incorporate the Columbia Gas Light Company,.....   | 42             | 60              |                |                | 79 146                      |             |
| 37 To aid in the construction of a plank road from Camden to some point or points on the North Carolina line, in the direction of Munro, Concord, or Charlotte, in that State, ...   | 42             | 104             |                |                | 168                         |             |
| 38. To provide for the future election of Electors of President and Vice President of the United States, .....   | 43             | 60              |                |                | { 76 77 110<br>113 154 159  |             |
| 39 To alter and amend 97th section of the Militia Law of this State, so as to authorize Colonels of Regiments to appoint their own collectors of fines,.....   | 43             | 82              |                |                | 108 229                     |             |

## BILLS OF THE HOUSE.

| TITLE.  | Notice of----- | 1st Reading----- | 2d Reading----- | 3d Reading----- | Other proceed-<br>ings----- | Ratified ----- |
|---|----------------|------------------|-----------------|-----------------|-----------------------------|----------------|
| 40. To alter and amend the Li-<br>cense Law of this State,-----   | 43             | 72               |                 |                 | 117                         |                |
| 41. To amend an Act of this State,<br>passed at the last session of the Le-<br>gislatre, entitled an Act to increase<br>the amount of property exempt from<br>levy and sale,----- | 43             | 104              |                 |                 | 153                         |                |
| 42. To prohibit the sale of spirit<br>uous liquors to free persons of color,  | 43             | 83               |                 |                 | 118                         |                |
| 43. To vest the title of the State<br>in and to certain escheated property<br>in Laurence Bowman, Meta Bow-<br>man, Louis Bowman, and Mary Ann<br>Bowman,-----                    | 43             |                  |                 |                 |                             |                |
| 44. To amend the 3d section of an<br>Act, entitled "An Act to afford aid<br>in constructing the Colleton Rail<br>Road, ratified the 20th day of De-<br>cember, 1850,-----         | 43             | 83               |                 |                 | 122                         |                |
| 45. To authorize the State to<br>grant aid in the construction of the<br>Cheraw and Darlington Rail Road,   | 43             | 88               |                 |                 | 122 253                     |                |
| 46. To establish and incorporate a<br>Bank in the town of Chester,-----   | 43             | 73               |                 |                 | 79 168                      |                |
| 47. To exempt the members of<br>the Palmetto Regiment from all mi-<br>litia and patrol duty,-----   | 43             | 73               | 146             | 194             | 80 208 286                  | 289            |
| 48. To incorporate Johnson Fe-<br>male University,-----   | 43             | 65               |                 |                 | 118                         |                |
| 49. To relieve Plank Road Compa-<br>nies from the necessity of making<br>returns, unless specially called for by<br>the Legislature,-----   | 43             | 61               | 146             | 194             | 79 208 286                  | 289            |
| 50. To renew the charter of the<br>Commercial Bank of Columbia, So.<br>Carolina, -----  | 44             | 60               |                 |                 | 143                         |                |
| 51. To re charter the Planters' &<br>Mechanics' Bank of South Carolina,   | 44             | 60               |                 |                 | 143                         |                |
| 52. To establish a Professorship<br>of Agriculture in the South Carolina<br>College,-----   | 45             |                  |                 |                 |                             |                |

BILLS OF THE HOUSE.

| TITLE.  | Notice of----- | 1st Reading----- | 2d Reading----- | 3d Reading----- | Other proceed-<br>ings-----                                | Ratified----- |
|---|----------------|------------------|-----------------|-----------------|--|---------------|
| 53. To alter and amend the law in relation to the collection of debts from free persons of color,-----  | 45             | 71               |                 |                 | 107 190  |               |
| 54. To prevent the marital rights of husbands from attaching on the estates of married women,-----  | 45             | 89               |                 |                 | 152  |               |
| 55. In relation to the execution of slaves and free persons of color,----   |                | 51               | 91              | 150             | 286  | 289           |
| 56. To open and extend Pitt st., in the town of Mt. Pleasant, to Hibben street,-----  |                | 58               | 96              | 150             | 183 286  | 289           |
| 57. To alter the Constitution of this State so as to divide Pendleton into two Election Districts,-----   |                | 59               | 104             | 171             | { 105 111 112<br>166 209 286                               | 289           |
| 58. Making it the duty of Magistrates in their respective Beat Companies to enforce the laws relating to traffic with slaves,-----  | 59             |                  |                 |                 |  |               |
| 59. To provide for the establishment of a general system of births, deaths and marriages in the State of South Carolina,-----   | 59             | 82               |                 |                 | 153 269  |               |
| 60. To establish boards of direction for Commissioners of Common Schools, and for other purposes,---  | 60             | 71               |                 |                 | 109 232  |               |
| 61. *To aid in the construction of the Pendleton Rail Road,-----  | 61             | 70               |                 |                 | 122 253  |               |
| 62. To incorporate German Artillery Company and Charitable Society of Charleston,-----  | 61             | 83               |                 |                 | 101 189  |               |
| 63. To appropriate \$3,500 for the purpose of erecting a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, Spartanburg District,----- | 62             | 71               | 231             | 260             | 109 264 287  | 289           |
| 64. To renew the charter of the Bank of the State of South Carolina,---   | 62             | 88               | 198             | 241             | { 120 121 198<br>200 201 202<br>203 204 206<br>208 250 287 | 289           |
| 65. To define the power of Judges to take the property or imprison the person of citizens without trial by jury,-----   | 62             | 169              |                 |                 |  |               |



## BILLS OF THE HOUSE.

| TITLE.   | Notice of----- | 1st Reading----- | 2d Reading----- | 3d Reading----- | Other proceed-<br>ings----- | Ratified ----- |
|--|----------------|------------------|-----------------|-----------------|-----------------------------|----------------|
| 66. To vest the right, title and interest of the State in the personal estate of Danl. McGill, deceased, in C. McDonald, wife of D. D. McDonald,                                       |                | 69               | 146             | 229             | 240 286                     | 289            |
| 67. To amend an Act to provide for the inspection of flour,-----   |                | 70               | 268             |                 | 119                         |                |
| 68. To prevent obstructions to the passage of fish up Lynch's Creek,--   |                | 70               | 146             | 192             | 208 286                     | 289            |
| 69. To alter the sittings of the Courts of Law on the Northern Circuit,-----   | 72             |                  |                 |                 |                             |                |
| 70. To alter and amend the law in relation to the granting of licenses to sell spirituous liquors,-----  | 72             |                  |                 |                 |                             |                |
| 71. To define the liabilities, duties and obligations of Magnetic Telegraph Companies,-----  | 72             | 104              |                 |                 | 152                         |                |
| 72. To incorporate Beaufort Female Seminary,-----  | 72             | 189              |                 |                 |                             |                |
| 73. To incorporate Beaufort Loan and Building Association,-----  | 72             | 189              |                 |                 |                             |                |
| 74. To punish trespasses on real property,-----  | 72             | 82               | 186             |                 | 100 186                     |                |
| 75. To reduce the number of petty musters, and for other purposes,--   | 72             | 82               |                 |                 | 108 230                     |                |
| 76. To ascertain the will of the people of this State as to the manner in which the Electors of President and Vice President shall be made,--  | 73             |                  |                 |                 |                             |                |
| 77. To amend an Act, entitled "An Act to amend the law in relation to the harboring of deserted seamen,"--   | 73             | 89               |                 |                 | 195 268                     |                |
| 78. To re-charter the Union Bank,  | 73             | 89               |                 |                 | 143                         |                |
| 79. To incorporate a new Bank in the city of Charleston,-----  | 73             | 89               |                 |                 | 152                         |                |
| 80. To amend the laws in cases of appeal,-----   | 73             | 80               |                 |                 |                             |                |
| 81. To appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions to said streets, |                | 79               | 140             | 194             | 208 286                     | 289            |

## BILLS OF THE HOUSE.

| TITLE.  | Notice of..... | 1st Reading..... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings..... | Ratified ..... |
|---|----------------|------------------|-----------------|-----------------|-----------------------------|----------------|
| 82. To incorporate the village of Cokesbury, .....  |                | 79               | 146             | 194             | 208 286                     | 289            |
| 83. To authorize the formation of a Volunteer Company within the limits of the 23d Regiment of Infantry, .....  |                | 80               | 146             | 193             | 208 286                     | 289            |
| 84. To allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law, .....   |                | 80               | 146             |                 |                             |                |
| 85. To amend the law in cases of appeal, .....  |                | 81               | 171             |                 | 149 154                     | 171            |
| 86. To alter and amend the charter of the city of Charleston, so as to make the election of Mayor and Aldermen biennial, and fixing the time for the first Wednesday in November, ..... |                | 81               |                 |                 |                             | 177            |
| 87. To amend the charter of the city of Charleston, in relation to the qualification of voters at city elections for Mayor and Aldermen, .....  |                | 81               |                 |                 |                             | 177            |
| 88. To authorize the South Carolina Rail Road Company to build a certain bridge over Congaree river, .....  | 82             | 89               |                 |                 |                             | 107            |
| 89. To diminish the duties and diminish the salary of Adjutant and Inspector General, .....   | 82             | 87               |                 |                 | 108 164                     | 230            |
| 90. Giving to the officers commanding companies the right to hold Courts Martial for trial of all defaulters in company and patrol duty in their respective commands, .....             | 83             | 90               |                 |                 | 108                         | 229            |
| 91. To vest all the right, title and interest of the State in and to a certain lot, situate in the town of Greenville, in Willis Allen, .....   | 83             | 87               |                 |                 |                             |                |
| 92. To alter and amend the law concerning the office, duties and liabilities of Sheriffs, .....   | 83             |                  |                 |                 |                             |                |
| 93. To alter and amend an Act, entitled "An Act to regulate the sitting of the Court of Appeals, and for other purposes," .....   | 83             | 103              |                 |                 |                             | 122            |

## BILLS OF THE HOUSE.

| TITLE.   | Notice of..... | 1st Reading..... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings.....           | Ratified ..... |
|--|----------------|------------------|-----------------|-----------------|---------------------------------------|----------------|
| 94. To vest in W. H. Trapp the ex-<br>clusive right to navigate Little River,  |                | 86               | 177             | 261             | 264 287                               | 289            |
| 95. To declare a certain descrip-<br>tion of streams navigable, and for<br>other purposes, .....   |                | 88               | 188             |                 |                                       |                |
| 96. To charter a Bank at Marion<br>C. H., .....  | 88             |                  |                 |                 |                                       |                |
| 97. To amend the charter of the<br>North Eastern Rail Road Company,  | 89             | 103              |                 |                 | 142                                   |                |
| 98. To alter and amend an Act,<br>entitled "An Act to provide for the<br>defence of the State," .....  |                | 100              | 186             | 266             | 272 287                               | 289            |
| 99 To incorporate the village of<br>Bluffton, in St. Luke's Parish, S. C.  |                | 100              |                 |                 | 186                                   |                |
| 100. To amend an Act, entitled<br>"An Act to incorporate the Com-<br>mercial Insurance Company," .....   |                | 100              | 188             | 266             | 240 286                               | 289            |
| 101. To Incorporate Beaufort Fe-<br>male Seminary, .....   |                | 100              | 189             | 226             | 240 287                               | 289            |
| 102. To incorporate the Colum-<br>bia and Beaufort Building and Loan<br>Associations, .....  |                | 101              | 189             | 227             | 240 286                               | 289            |
| 103. In relation to the qualifica-<br>tion of jurors, and for other purposes,  |                | 101              |                 |                 | 197                                   |                |
| 104. To alter and amend the<br>amendment to the Constitution of this<br>State, ratified 19th December, A. D.<br>1810, .....                              |                | 101              |                 |                 | 197                                   |                |
| 105. To alter and amend an Act,<br>entitled an Act concerning the office<br>and duties of Magistrates, .....   |                | 101              | 189             |                 | 189                                   |                |
| 106. To arrange this State into<br>districts for the election of Repre-<br>sentatives to the Congress of United<br>States, and for other purposes, ..... |                | 102              | 159             |                 | { 126 154 155,<br>156 157 208.<br>286 |                |
| 107. To establish the line of the<br>channel of Ashley River, adjacent to<br>the city of Charleston, .....   | 103            | 115              |                 |                 | 111 195                               | 280            |
| 108. To permit Joseph R. Beare,<br>an alien, to apply for admission to<br>practice in the Courts of Law and<br>Equity in this State, .....               | 103            | 124              |                 |                 |                                       | 153            |

## BILLS OF THE HOUSE.

| TITLE.   | Notice of..... | 1st Reading..... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings..... | Referred..... |
|--|----------------|------------------|-----------------|-----------------|-----------------------------|---------------|
| 109. To alter and amend so much of the 10th section, 1st article of the Constitution, as relates to two days of election of members of the House of Representatives, .....   | 103            | 124              |                 |                 | 211                         |               |
| 110 To compel each district and parish of this State to pay the expenses of their contested elections for members of either branch of the Legislature, .....   | 104            | 125              |                 |                 | 195                         |               |
| 111. To alter and amend an Act, entitled "An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, .....   |                | 107              | 189             | 226             | 240 287                     | 289           |
| 112. To incorporate Carolina Mutual Insurance Company of Charleston, .....   |                | 109              | 230             | 260             | 264 287                     | 289           |
| 113. To alter and amend the Free School Laws of this State, .....  |                | 109              | 231             |                 | 230                         |               |
| 114. To exempt Robert Hopton, a free person of color, from capita-<br>tion tax, .....  |                | 109              | 232             | 260             | 264 287                     | 289           |
| 115. To alter and amend an Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices, ..... | 110            | 125              |                 |                 | 195                         |               |
| 116. To release from pledge the Rail Road shares belonging to the State, .....   |                | 117              | 232             | 260             | 264 287                     | 289           |
| 117. To authorize the conveyance of lots No. 29 and 30, in the town of Columbia, to James Fuller, on certain conditions, .....   |                | 117              |                 |                 |                             |               |
| 118. To provide for the Savannah River Valley Rail Road Company, ..  |                | 118              | 253             | 268             | 272 287                     | 289           |
| 119. *To authorize the State to aid in the construction of the Pendleton Rail Road, .....  |                | 122              | 252             | 268             | 272 287                     | 289           |

## BILLS OF THE HOUSE.

| TITLE.  | Noice of..... | 1st Reading.... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings.....         | Revised ..... |
|---|---------------|-----------------|-----------------|-----------------|-------------------------------------|---------------|
| 120. *To authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road,   |               | 122             | 253             | 268             | 274 288                             | 289           |
| 121. To secure a more perfect accountability on the part of public officers, -----  |               | 123             |                 |                 |                                     |               |
| 122. To exempt apothecaries from liability to perform militia duty,-----  | 125           | 140             |                 |                 | 168                                 |               |
| 123. To define the principles on which joint stock banks shall be incorporated, -----   |               | 141             | 216             |                 | 212 214                             |               |
| 124. To authorize a subscription and loan on the part of the State to the Blue Ridge Rail Road Company in South Carolina,-----  |               | 141             |                 |                 |                                     |               |
| 125. To incorporate Blue Ridge Rail Road Company in South Carolina, -----   |               | 141             |                 |                 |                                     |               |
| 126. To extend the charter of the Bank of the State of South Carolina,  |               | 141             |                 |                 |                                     |               |
| 127. *To amend the charter of certain towns and villages heretofore incorporated, -----   |               | 142             | 240             | 260             | 264 287                             | 289           |
| 128. To incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted,-- |               | 143             | 245             | 268             | 274 287                             | 289           |
| 129. To re-charter the Planters' & Mechanics' Bank of South Carolina, -----   |               | 143             |                 |                 |                                     |               |
| 130. To re-charter Commercial Bank of Columbia, South Carolina,--   |               | 143             |                 |                 |                                     |               |
| 131. To re-charter the Union Bank of South Carolina,-----   |               | 143             |                 |                 |                                     |               |
| 132. To incorporate certain Societies, Associations and Companies, and for the re-charter of others,----  |               | 148             | 245             | 268             | 272 287                             | 289           |
| 133. To establish certain roads, bridges and ferries, and to amend the laws respecting Commissioners of Roads in certain particulars,-----                                |               | 152             | 240             | 268             | { 275 276 279<br>280 281 283<br>288 | 289           |

BILLS OF THE HOUSE.

| TITLE.   | Notice of..... | 1st Reading..... | 2d Reading..... | 3d Reading..... | Other proceed-<br>ings.....             | Ratified ..... |
|--|----------------|------------------|-----------------|-----------------|---|----------------|
| 134. To exempt the survivors of South Carolina Volunteers in Florida war, from ordinary militia duty, .                          | 159            | 170              |                 |                 | 184                                     |                |
| 135. To raise supplies for the year commencing October, 1852,-----   |                | 184              | 250             | 268             | { 238 274 247<br>248 250 287            | 289            |
| 136. To make appropriations for the year commencing October, 1852,   |                | 184              | 224             | 244             | { 217 218 220<br>223 254 259<br>287 255 | 289            |
| 137. To vest the right which the State may have in certain real estate in Robert Adger, executor of Christina B. S. Gulden,----- |                | 185              |                 |                 | 268                                     |                |
| 138. To vest certain real and personal property of Arthur J. Counts, deceased, in Elizabeth Counts,----                          |                | 211              |                 |                 |   |                |

## BILLS OF THE SENATE.

| TITLE.   | 1st<br>Reading | 2d<br>Reading | 3d<br>Reading | Other<br>proceed-<br>ings | Ratified    |
|--|----------------|---------------|---------------|---------------------------|-------------|
| 1. *To change the day for the election of, and term of office of, the Mayor and Aldermen of the city of Charleston,-----   | 74             | 177           | 225           | 87                        | 177 289     |
| 2. *To vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina in two lots of land on Charleston Lines,----- | 74             | 267           | 274           | 152                       | 266 288 289 |
| 3. To incorporate Johnson Female University,-----  | 74             | 177           | 193           | 86                        | 288 289     |
| 4. To release to Catharine McDonald all the right and interest of the State to certain property,-----  | 85             |               |               | 152                       |             |
| 5. To confer certain rights on the Hebrew Congregation of Charleston in relation to a piece of land by them held,-----   | 85             |               |               | 184                       |             |
| 6. To release the right and interest of the State in certain property to Levi Gibson,-----   | 85             |               |               | 122                       |             |
| 7. To amend an Act, entitled "An Act to provide for the inspection of flour,"-----   | 85             | 268           | 271           | 146                       | 184 288 289 |
| 8. To repeal all Acts and parts of Acts authorizing Ordinaries to take possession of, and administer derelict estates,-----  | 97             |               |               | 153                       |             |
| 9. To amend an Act, entitled "An Act to amend the laws in relation to the harboring of deserted seamen,"-----  | 97             | 268           | 273           | 288                       | 289         |
| 10. To amend the law in relation to Sheriffs,-----   | 97             |               |               |                           |             |
| 11. To incorporate the town of Bluffton,-----  | 115            | 186           | 209           | 123                       | 288 289     |
| 12. To punish assaults committed with concealed weapons,-----  | 115            |               |               | 153                       |             |
| 13. To declare and amend the law in relation to words of limitation in deeds and wills,-----   | 115            | 197           |               | 153                       |             |

BILLS OF THE SENATE.

| TITLE.   | 1st Reading----- | 2d Reading----- | 3d Reading----- | Other proceed-<br>ings-----      | Ratified----- |
|--|------------------|-----------------|-----------------|----------------------------------|---------------|
| 14. To authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road,-----  | 115              |                 |                 | 225                              |               |
| 15. To incorporate the Columbia Gas Light Company,-----  | 121              | 146             | 166             | 142 146 288                      | 289           |
| 16. To incorporate the Exchange Bank in town of Columbia,-----   | 121              |                 |                 | 194                              |               |
| 17. To renew the charter of the Commercial Bank of Columbia, So. Carolina,-----  | 138              |                 |                 | 195                              |               |
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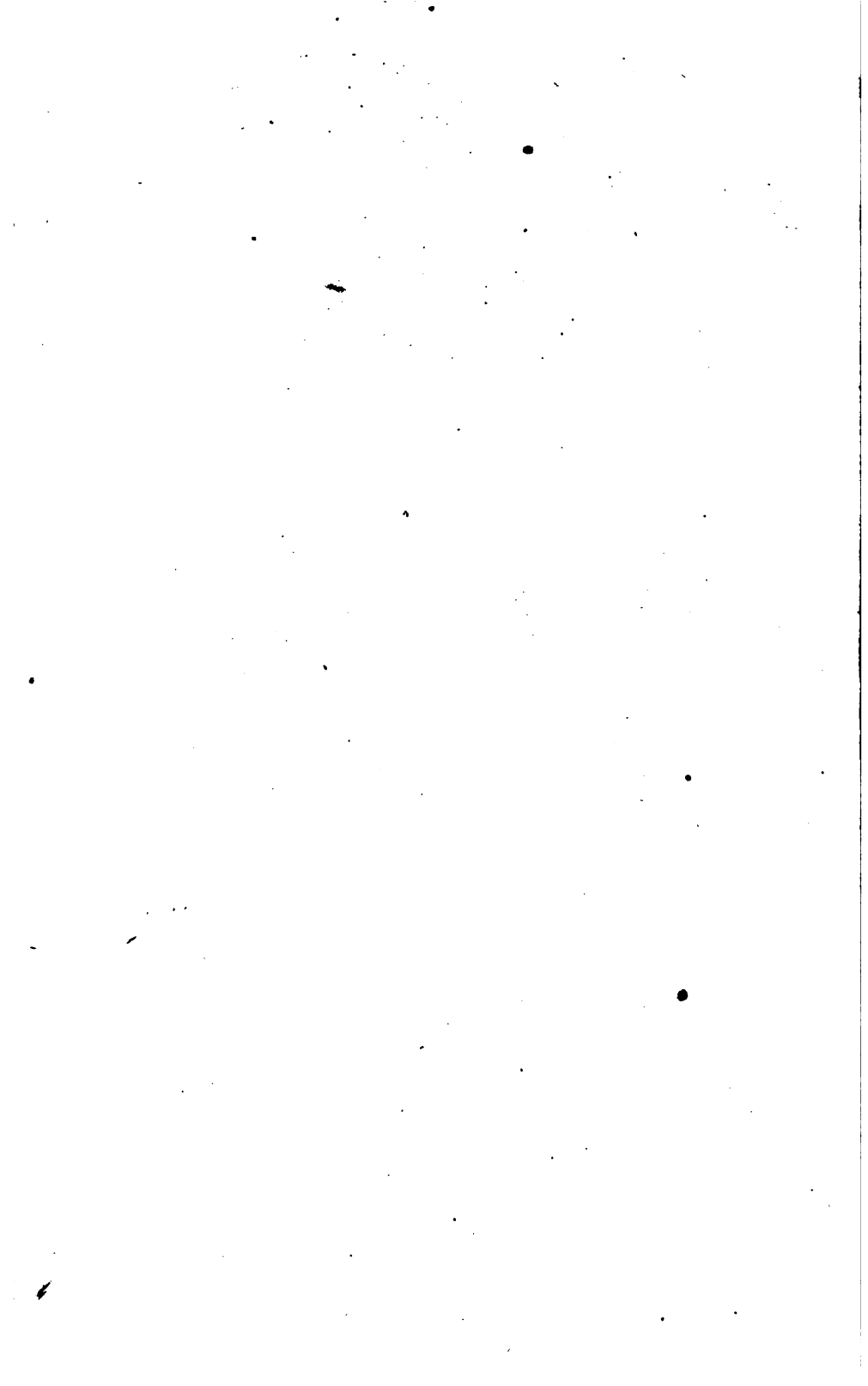
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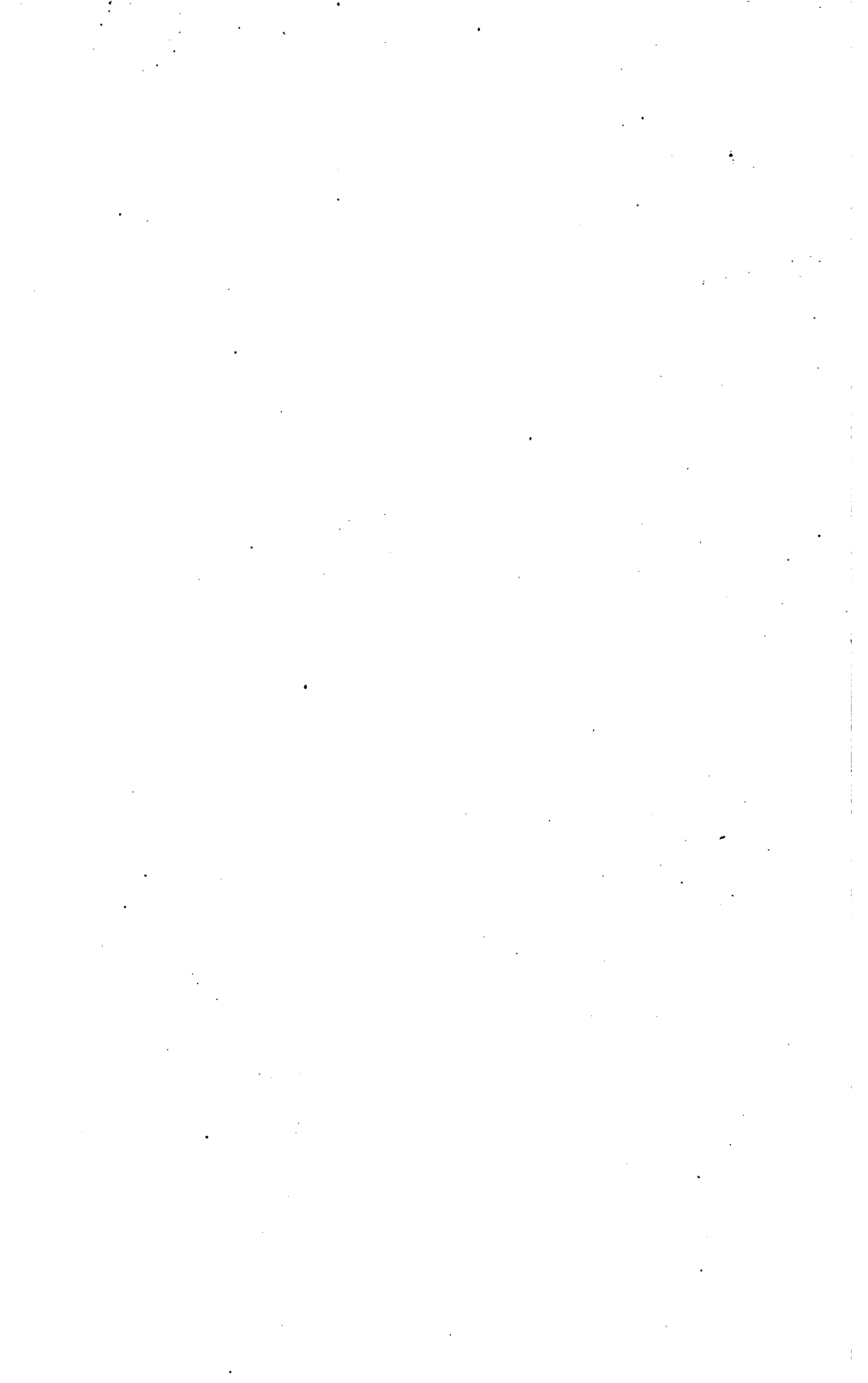


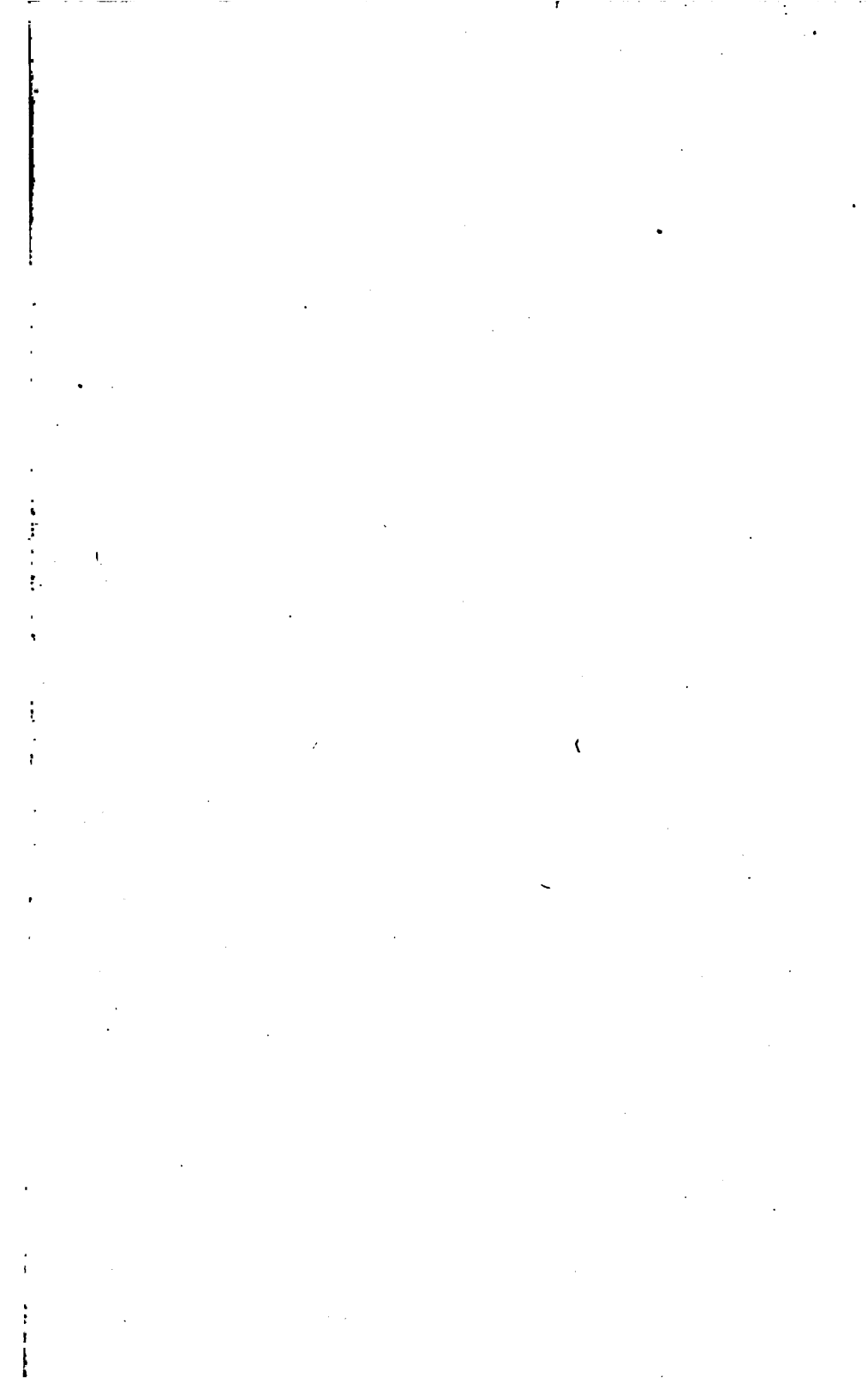


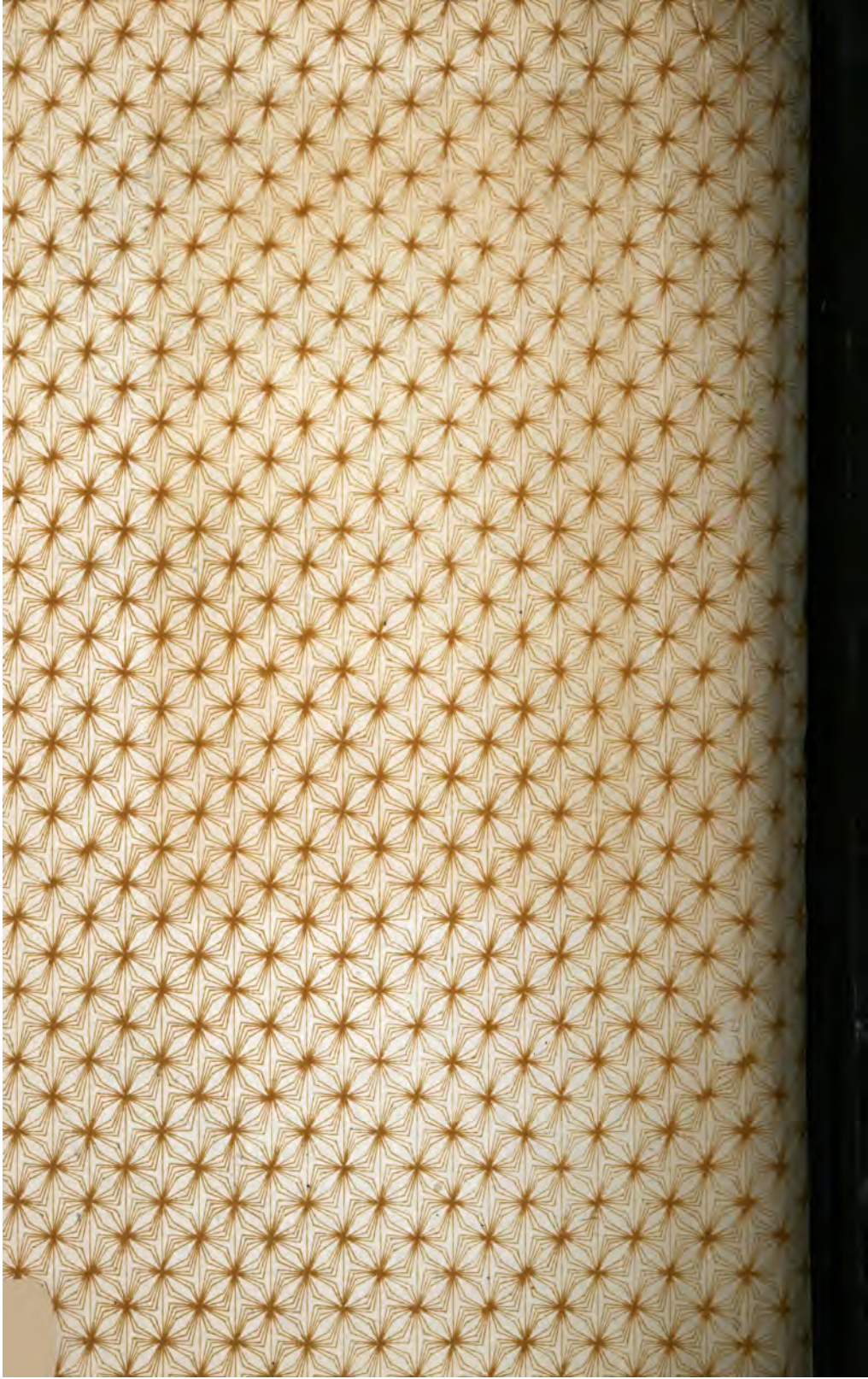














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